

INDIA AND UNITED NATIONS
PEACE-KEEPING OPERATIONS

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FRANCIS PARAKATIL

Foreword by

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Foreword

This is one of the first books to be written on peace-keeping activities of the United Nations as viewed from the vantage point of the national policy of one of the participating countries. India was one of the first States to answer the call by the Secretary-General, Dag Hammarskjöld, in 1956, when the United Nations Emergency Force was established. Subsequently, India participated actively in the Congolese, Cyprus and West Irian operations, and some of its commanding officers played a leading role in the implementation of United Nations peace-keeping decisions.

At a time when the future of United Nations peace-keeping operations is seriously questioned in many quarters it is particularly important to study the motivations and behaviour of States and their armed forces which participated in such operations in the past. Clearly, Nehru's policy of non-alignment and the leadership role which he visioned for India in the context of the United Nations created the necessary conditions for the successful participation in United Nations peace-keeping activities. The question which arises, however, is the following: How far was this globalist vision of India's responsibilities, shared by Indian political elites and public opinion? To what extent did the Indian Parliament consider that Indian participation in United Nations peace-keeping operations reflected a concern for world peace shared by circles wider than those immediately around Prime Minister Nehru? Mr. Parakatil touches on many of these problems, and he offers some very valuable information which will help the reader to answer these questions.

In addition, the author describes in some detail the actual

meaning of India's participation in the United Nations peace-keeping operations. I speak of the "meaning" because it is often forgotten that such an activity on the part of a National Government entails much more than a political decision followed by a series of administrative measures. It entails a commitment to a certain idea of globalism and world-wide responsibilities for the maintenance of peace. India became involved in such operations in Africa, in the Middle East, in Asia; but the whole thrust of its leaders' commitment was that India considered this participation as a normal obligation which it carried under the United Nations Charter. At a time when disillusionment and frustration makes the future of peace-keeping operations more doubtful than ever, India's example is worth studying, and Mr. Parakatil has performed a most useful service to the scholar and practitioner interested in the United Nations by analyzing the experience of his country in the peace-keeping field during the past twenty years.

Geneva,
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JEAN SIOTIS

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FRANCIS PARAKATIL

Abbreviations

CFI	Custodial Force India
NNRC	Neutral Nations Repatriation Commission
ONUC	Operation des Nations Unies au Congo (UN Operation in the Congo)
UNCIP	UN Commission for India and Pakistan
UNCIVPOL	UN Civil Police (Cyprus)
UNCOK	UN Commission on Korea
UNCURK	UN Commission for Unification and Re- habilitation of Korea
UNEF	UN Emergency Force
UNFICYP	UN Force in Cyprus
UNIPOM	UN India-Pakistan Observation Mission
UNMOGIP	UN Military Observation Group in India and Pakistan
UNOOIL	UN Observation Group in Lebanon
UNSF	UN Security Force (West Irian)
UNSCOP	UN Special Committee on Palestine
UNTCOK	UN Temporary Commission on Korea
UNTEA	UN Temporary Executive Authority (West Irian)
UNTSO	UN Truce Supervision Organization
UNYOM	UN Yemen Observation Mission

Introduction

Since East-West disagreement ensured that the Collective Security system envisaged in the Charter would never become a reality, it was necessary to find some other means of dealing with aggression and other breaches of the peace. This explains the development of Peace-Keeping Operations which have become almost commonplace and have without doubt turned out to be one of the most effective activities of the United Nations. Although they have played a very important part in matters of peace and security they are still the subject of strong political controversy and it is essential that they be given a formal structure if they are to be really effective. Certain efforts have been undertaken at the United Nations to this end through different committees, particularly through the "Special Committee on Peace-Keeping Operations" or the "Committee of 33". At the same time it is important for efforts to be made on the national level also. The object of this study is to analyse the whole problem of the United Nations peace-keeping operations on a national basis to find the real political and material problems involved and thus find out what are the future prospects of these operations. As India has played a large part in various United Nations peace-keeping activities, it seemed one of the best examples to study.

In a world as diversified as the one in which we live, it is inconceivable that one nation or one dictator should be all-powerful and rule the others. Hence the formation of an international organization was inevitable.

As it happened, India did not have a favourable attitude

towards the first organized international institution, the League of Nations. This was mainly because, although India was one of the original members of the League, in practice it was but an additional voice and vote for the British Foreign Office. The people of India had no say in matters and their so called representatives were nominated by the British Government. Moreover, at least until 1930, India was very sceptical about the role of a League which was apparently but a tool in the hands of the Great Powers. India was even afraid that the dependencies would be under the perpetual dominance of imperialist powers.

This rather cynical point of view slowly changed. Some Indian statesmen started taking an interest in the international organization, particularly in labour and social matters. Moreover, after the Japanese invasion of Manchuria and the rise of Fascism and Nazism in Europe, there was an increased effort to make the League more effective, particularly as a check to aggression.

India's attitude towards the United Nations, however, was more positive mainly because of two facts. (1) the universality of the United Nations created a better impression than the almost wholly European 'League'. (2) India was an independent State in the United Nations while in the League it was represented by a British nominee. This is why Jawaharlal Nehru outlining India's foreign policy in September 1946 stated that India's attitude towards the United Nations was that of whole hearted co operation and unreserved adherence, in both spirit and letter, to the Charter governing it. He declared, that to that end India would participate fully in the various activities of the United Nations and would endeavour to play that role in its Councils to which its geographical position, population and contribution towards peaceful progress entitled it.

There was indeed an absolute necessity for such an organization, to find ways and means to prevent a possible Third World War, for war was and is the greatest scourge of our time, and peace should be kept through an international body

which can control the ability of a nation to wage war. It seemed that the whole hope of mankind lay in this organization. Dr. Radhakrishnan, a great Indian Philosopher and one time President of India, while addressing the Nepal Council of World Affairs on 6th November 1963, recommended a unified world with one central authority in the form of an international organization where everyone would be represented and which would automatically be democratic. Dr. Zakir Hussain, who was then President of India, broadcasting on the eve of the 22nd anniversary of the United Nations on 23rd October 1967, stated that there was no international machinery other than the United Nations which could further the common aims of mankind. He realised that it was not perfect machinery, but felt that the world must, therefore, work in harmony to strengthen the United Nations which had come to be the only hope for peace and plenty on earth.

It is in this spirit that India co-operates and participates in all its activities, including United Nations peace-keeping operations. In the following pages an attempt has been made to study this subject dividing it into three parts. The first part will analyse the relationship between Indian foreign policy and United Nations peace-keeping operations. The Committee of 33's evaluation of United Nations peace-keeping is also added to this part. The six chapters of the second part will be devoted to case-studies (Korea*, Middle East, Congo, Cyprus, West Irian and Kashmir), with special reference to India's involvement and policy. The third part will entirely deal with a political analysis of the national attitude, both internal and external, which motivated the United Nations peace-keeping operations. In the concluding chapter the feasibility is stressed of an eventual United Nations permanent force.

*The Korean operation, although by definition not a peace-keeping one, is included because it contains certain features which do belong to peace-keeping.

PART ONE

INDIAN FOREIGN POLICY
AND
UNITED NATIONS
PEACE-KEEPING OPERATIONS

CHAPTER I

The Relation between Indian Foreign Policy and the United Nations Peace-Keeping Operations

I. *The Concept of Peace-Keeping Operations*

The major pre-occupation of the United Nations was to avoid the danger of war. For this purpose the framers of the Charter drafted the important Articles of chapter VII which deals with the possibility of military force being put at the disposal of the Security Council. This turned out to be inapplicable because of the disagreement of the Great Powers and eventually it became clear that the United Nations could neither deal with an aggression arising from a conflict involving a Great Power nor use the military resources of the Great Powers directly when dealing with other breaches of the peace. It is in the light of this situation that the development of peace-keeping must be considered.

There are different definitions of United Nations peace-keeping operations, since a definitive definition of the term is not found in the Charter of the United Nations. As a result, it has been used with a variety of meanings and subject to several interpretations.

Some include in this expression all measures undertaken

by the United Nations for maintaining peace and security.' Dr. A. James for instance observes, "'Peace-Keeping Operations' is a term which has been given a variety of meanings. They range from the mission, which has been undertaken by international armies, to the activities of an individual who has been sent to the field on some political task".¹

According to others United Nations peace-keeping operations are military, paramilitary or non-military operations by which the United Nations maintains peace and security in international disputes. Yet others hold that action with respect to threats to peace, breaches of the peace and acts of aggression should not be included in the term Peace-Keeping Operations. They think it reasonable to limit the concept of Peace-Keeping Operations to operations that are essentially voluntary in that they can only be undertaken at the request, or at least with the consent, of the country where they are to take place, and do not place any obligation on Member States with regard to personnel, equipment or logistics.²

Some others, particularly Brazil, feel that the notion is a new one in the United Nations Charter and therefore it is appropriate to incorporate it in a new chapter on United Nations peace-keeping operations between chapters VI and VII of the Charter.³

There are others, however, that justify United Nations peace-keeping operations by their teleological interpretation of the Charter. This seems to be the majority opinion. They

1. Young, O. R. enumerates under U.N. peace-keeping operations: Police force, Observer groups, Supervision teams, U.N. presences, Mediators, Personal Representatives of the Secretary-General, Technical assistance aimed at increasing political stability and Temporary Executive Authorities and James, A. adds: Investigation, Administration, Obstruction, Refrigeration, Invalidation and Coercion (Gordon J. King: "Prospect for Peace Keeping", *International Journal* (Canadian Institute of International Affairs), Vol. XXV, No. 2, Spring 1970, p. 378).

2. James, A.: *The Politics of Peace-Keeping Operations* (London: Chatto and Windus, 1969), p. 1.

3. *United Nations Year Book*, 1965, p. 7.

4. U.N., Doc. A/AC. 1/2/4, 27 April 1965.

come to the conclusion that although specific provisions for peace-keeping operations are not foreseen, they certainly do not violate the general provisions of the Charter.

So an extensive interpretation of the Charter leads the United Nations to undertake peace-keeping activities under the 'Uniting for Peace' resolution also.*

It is worth remembering that during the first days of the United Nations, Adlai Stevenson, along with Canadian Prime Minister Lester Pearson (Mr. Pearson, a leader in the field, received the Nobel Prize for his contribution to the development of United Nations peace-keeping operations) and United Nations' officials, Dag Hammarskjöld, U Thant, Ralph Bunche and others have also contributed to the development of peace-keeping operations.

Consequently, from the above mentioned we shall make a distinction between the concept of Peace-Keeping operations, Enforcement actions and Peace-Making operations.

- (i) *Peace-Keeping Operations* : These are military or non-military operations conducted by the United Nations for the maintenance of international peace and security (with the exception of those which fall under the category of enforcement action under chapter VII of the Charter).⁵ This is a 'presence' of the United Nations in a disturbed area, either in the form of observation groups or in the form of police operations or an international force to contain violence and prevent it from widening into a larger conflict.

5. The 'Uniting for Peace' resolution 377 (V) was adopted by the General Assembly on 3 November 1950. It provides that if the Security Council, because of lack of unanimity among the Permanent Members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to members for collective measures, including in the case of breach of the peace or an act of aggression, the use of armed force where necessary, to maintain or restore international peace and security.

6. U.N. Doc. A/AC. 121/4, 31 May 1965, p. 4.

(ii) *Enforcement Actions*: The Charter is very specific on these. The whole of chapter VII is dedicated to them. Here it uses force to put into effect the decisions of the Security Council. The difference between enforcement actions and peace-keeping operations is clear. In the words of U Thant: "Peace-Keeping Operations should not be confused with the use of force to counter aggression as provided for in chapter VII of the Charter and the said Peace-Keeping units are essentially peace and not fighting forces and operate only with the consent of the parties concerned."

(iii) *Peace-Making Operations*: This category includes the peaceful settlement of a dispute through negotiation, conciliation and arbitration. The role of peace-making operations is very important in finding a final political solution to disputes.

So far the United Nations have undertaken peace-keeping operations of various types and sizes in response to critical situations in Greece, Palestine, Kashmir, Yemen, Suez and Gaza, Lebanon, Jordan, Congo, West Irian and Cyprus. They were all organized in an 'ad hoc' settlement after long discussion in the Security Council and the General Assembly because of disagreement in interpreting the concept. Therefore, at least for the sake of the future peace-keeping operations, this existing concept must be revised and given a full legal background, so that the machinery of the United Nations can be more active and effective.

II. *Indian Foreign Policy*

A country's foreign policy ultimately emerges from its own traditions, from its own urges, from its own objectives. "A policy," says Nehru, "must be in keeping with the traditional background and temper of the country. It should be

7. Cox, A. M.: *Prospects for Peace-Keeping* (Washington, D.C.: The Brookings Institution, 1967), p. 131.

ideadistic, aiming at certain objectives and, at the same time, it should be realistic. If it is not realistic, then it is likely to be adventurist and wholly ineffective, if it is not idealist, it becomes one of sheer opportunism". This will lead to two principles: (i) national: that foreign policy operations must be directed to secure, safeguard and promote the nation's vital interests, both economic and political, and the interests of national security; (ii) international: that the foreign policy of a nation must promote its own policy on world affairs, its own approach to problems of international relations and the creation of a new way of life peculiar to every nation.

Nehru goes on to say that the foreign policy of India is "the pursuit of Peace, not through alignment with any major power or group of powers, but through an independent approach to each controversial or disputed issue; the liberation of the subject peoples; maintenance of freedom both national and individual; the elimination of racial discrimination and the elimination of want, disease and ignorance which afflict the greater part of the world's population".

From the above statement we can lay down three postulates:

- (i) the avoidance of any alignments with power blocs, the maintenance of friendly relations with all countries and co-operation with them to secure international peace;
- (ii) the ending of racial discrimination and the securing of freedom for all colonial and oppressed peoples; and
- (iii) the playing of a positive role in world affairs."

India follows a policy of Non-Alignment and Peaceful Co-

8. Quoted in Rajan, M. S.: *India in World Affairs, 1954-1956*, Vol. 111 (Bombay: Asia Publishing House, 1964), p. 39.

9. Quoted in Setalvad, M. C.: "India and the United Nations", *India Quarterly* 6, April-June 1950, p. 129.

10. Govinda Raj: *India and Disputes in the United Nations* (Bombay: Vora & Co., 1959), p. 1.

existence in its foreign relations with other states. It has its reasons for this policy:

—Geographically — it is situated in a key position between East and West. Therefore it ought to play a balancing role between East and West.

—Historically — Indian foreign policy is the outcome of its past history. The present political blocs remind Indians of the 'Mandala' theory enunciated by Kantalya, an eminent Indian scholar in ancient India. The conqueror, his friend, and his friend's friend are three primary Kings constituting a circle of states. The three circles of states having the enemy of the 'Madbyana' King, or the neutral King at the centre of each of the three circles, are different from that of the conqueror. Thus there are four primary circles of states with 12 Kings. The circles of states are the source of the six-fold policy: peace, war, observance of neutrality, marching alliance and making peace with one and waging war with another are the six forms of state policy. It is undeniable that India can justifiably be proud of its traditions of independent foreign policy directed mainly towards the achievement of peace and happiness among the peoples of the world.

—Economically — foreign policy depends on economic policy and until India has an effective economic policy, its foreign policy will be somewhat incoherent.¹¹

India looked to the United Nations in implementing its foreign policy objectives. The nationalist urge for recognition of India's position in the world inspired its policy-makers to follow a non-alignment approach to maximize its influence. In Prime Minister Nehru's words: "Our basic international policy is that we want to be friendly with all countries. We work for peace in so far as we can, we have no pretensions about

11. Poplai, S. L. (ed): *Selected Documents on Asian Affairs: India 1947-1950*, Vol. II (London: Oxford University Press, 1959), p. 15.

our strength to do this or that. We are struggling to consolidate ourselves, to strengthen ourselves, economically and politically...we work for peace because it is essential for the world".¹²

For India the concept of peace was one involving the whole world. The success or failure of any foreign policy to-day has repercussions on the whole world. Therefore India outlined 3 stages in a peace policy:

- (i) The disaster of war to be prevented;
- (ii) Serious attempts to be made to avoid it;
- (iii) If war did break out, then a position should be adopted to attempt to end it.

In the following paragraphs, therefore, an attempt has been made to sort out the concepts of Non-Alignment and Peaceful Co-existence and their relation to Peace-Keeping operations. A further paragraph will be added to examine Non-Violence as a formalistic Indian Policy.

(A) NON-ALIGNMENT AND PEACE-KEEPING OPERATIONS

(i) *The Concept of Non-Alignment*

Non-Alignment¹³ is the principal element of Indian foreign policy. Speaking on India's foreign policy, before independence, Nehru had already declared that "we propose as far as possible to keep away from the power politics of groups, aligned against one another, which have led in the past to world wars and which may again lead to disasters on an even vaster scale".¹⁴ This really means the refusal to enter into military

12. *Indian Foreign Affairs*, Vol. VII, No. 6, June 1964, p. 38.

13. Non-Alignment is also known as Non-commitment, Non-involvement, Neutrality, Neutralism, Positive neutrality, Positive neutralism, Dynamic neutrality, Independent and vital policy and Peaceful, active co-existence. (Rajan, M. S.: *Non-Alignment: India and the future*, Mysore, University of Mysore, 1970).

14. *Jawaharlal Nehru's Speeches 1946-1949*, Vol. 1 (New Delhi: Publications Division, Government of India), p. 2.

pacts or alliances or to belong to any power bloc (it does not exclude limited military agreements with all powers); it also means maintaining friendly relations with all countries.

After India's independence in 1947, there was a need for Non-Alignment in the world. This was precisely due to the existence of two power blocs headed by the United States and the Soviet Union, blocs with which India did not desire to get entangled. This is why India chose this independent policy where each issue would be judged on its own merits according to India's national interest.

This policy can be considered specifically adapted to India; it is a policy which is inherent in the circumstances of India, in the past thinking of India, in the conditioning of the Indian minds during the struggle for freedom, and in the circumstances of the world to-day."

To-day non-aligned states constitute about half of the Member States of the United Nations. The development in membership mostly of so-called 'underdeveloped countries' and the formation of the principles of Non-Alignment are worth noting. The three major conferences of non-aligned countries

15. The 'raison d'être' of this policy can be found in its tradition of "live and let live". Its geographical position, vast population and military weakness mean that Non-Alignment alone would enable it to remain independent. India wanted to avoid political commitment which would undermine its freedom to judge and act and would affect its external sovereignty. Moreover, Non-Alignment was desirable in view of public opinion: Congress was split; one party of Socialists wanted to join a third camp and the other party objected to a link with the West. The Communists were pro Soviet, and several Liberals were pro-West.

16. Most underdeveloped countries have chosen a policy of Non-Alignment because:

- (a) It helps to obtain aid without inviting foreign military control;
- (b) Military alliance with a power bloc leads to a large national defence establishment. This leads in certain cases to army rule and thus destruction of civil liberties;
- (c) This policy confers freedom of action which can be extremely useful; and
- (d) This policy helps a country in its domestic politics, reduces internal tensions and saves it from being sucked into the vortex of international conflict. ("Symposium on Neutrality", *United Asia*, 13, No. 3, 1961, p. 177).

have contributed a great deal to the development of the policy of Non-Alignment. In each conference the participants have tried to follow up the international issues particularly those concerning non-aligned states, and to contribute a solution to them.¹⁷

It was during the Cairo conference that the participants drafted different criteria for a policy of Non-Alignment:

- Non-aligned countries should follow an independent policy.
- They should support liberation movements,
- They should not be members of multilateral military pacts with Big Powers in the East-West struggle, and
- They should not have granted military bases to foreign powers.

The term Non-Alignment may be differently interpreted, but basically it means that a state is uncommitted economically, politically, or militarily with any of the Great Power Blocs of the world. Non-Alignment normally has a negative meaning. If, however, it is given a positive connotation, according to Nehru, it would mean that nations object to joining military blocs for belligerent purposes.¹⁸

17. The first conference of non-aligned nations was held in Belgrade in September 1961 and attended by 28 countries, including 5 from Europe and Latin America. The conference strongly emphasized the importance of the pursuit of peace by methods of conciliation, which helped in the relaxation of tensions at a time of great international peril. The second conference of non-aligned nations was held in Cairo in October 1964 and attended by 57 countries from Asia, Africa, Europe and Latin America. In this connection a significant development was the enunciation of the principles of peaceful co-existence. It was also declared in the conference that states must abstain from all use of the threat of force directed against territorial integrity and political independence. (Report of the Ministry of External Affairs, Government of India, 1964-1965, p. 104). The third conference of non-aligned countries was held in September 1970 at Lusaka and attended by 65 countries of which 12 were Observers. The main accent of the Lusaka conference was on the reconstruction and extension of mutual co-operation, both regional and bilateral. The continuation of co-operation on all questions considered in the United Nations was also stressed. (*Chronique de l'Inde*, Vol VIII, No. 24, 1 October, 1970).

18. Jawaharlal Nehru's *Speeches, 1957-1965*, Vol. IV, op. cit., p. 361.

The most important aim of Non-Alignment is, of course, India's internal, political and economic interest and stability. The realization that a long period of world peace is a necessary condition for the rapid development of its economic resources has led the Indian Government to give the highest priority to the pursuit of international peace, for after achieving freedom, the fundamental problem was internal rather than external. There is no doubt that one of its objectives is to increase its influence in world affairs and at the same time to contribute to the larger objective of world peace. This is why Prime Minister Nehru warned: "If we tie ourselves up with any group of bloc, a good bloc or a bad bloc, rightly or wrongly, we lose our individuality. We lose the power we have to-day of influencing others...and we just become a reflex of somebody else's mind and somebody else's activity"."

(ii) Non-Alignment and Peace-Keeping Operations

The ultimate aim of peace-keeping operations is to ensure world peace through intervention in the areas of dispute, either militarily (through an International Police Force) or non-militarily (through negotiation, conciliation and mediation) or a combination of both. The preservation of world peace is also the central aim of India's policy. It is in pursuit of this policy, that India has chosen the path of Non-Alignment, which according to V. K. Krishna Menon, one-time Defence Minister of India, is equal to Peace."

Non-Alignment presumes an active international policy which means: independence, lasting peace, social justice, freedom, social progress and economic development. India believes that this alone can give true independence to the people and independence to make decisions and to act in the international field. Thus, because of its non-aligned status, India has been able to make its modest contributions to the solution

19. Jawaharlal Nehru: *Visit to America* (New York: The John Day Co., 1950), p. 248.

20. Brecher, M.: *India and World Politics—Krishna Menon's View of the World* (London: Oxford University Press, 1968), p. 306.

states have so far played a very positive role in achieving the above-stated objectives through the United Nations peace-keeping operations.

One of their actions in this connection is the struggle for collective security for all peoples of the world, as opposed to the trend of dividing the world into antagonistic blocs, or the grouping of some countries armed by some of the Great Powers. The policy of Non-Alignment, therefore, is neither a policy of struggling with the existing blocs, nor a policy of standing midway between them, but rather the making of contacts with the peace-loving and progressive aspirations of the peoples within those blocs, in order to establish conditions in which the collective security of the peoples of the world would be possible on the basis of their independence and equality. The approach to collective security, therefore, lies only through collective peace which was one of the aims of the 'area of peace'.

Non-Alignment policy is not passive or neutral, but an independent, positive, active and constructive policy. For instance, when India on 27 June 1950 accepted the United Nations resolution condemning the North Korean aggression, it really showed that the pacific import of its Non-Alignment did not mean appeasing the aggressor and that its Non-Alignment clearly contrasted with Neutrality.²⁵ So Non-Alignment is not

25 Since Indian Foreign Policy has been invariably described as Non-Alignment, Neutrality and Neutralism, it is, however, important to make a precise distinction between non-aligned States and neutral States. Non-alignment is a part of the policy of a given Government, but neutral States are bound to neutrality by international treaties more than by their Governmental policy. Furthermore, Neutrality is defined by Oppenheim: "the attitude of impartiality adopted by third states towards belligerents and recognized by belligerents, such attitude creating rights and duties between the impartial states and the belligerents", e.g., the USA between 1914 to 1917 and 1939 to 1941. (Sørensen, M. (ed): *Manual of Public International Law*, London: Macmillan, 1968, p. 840). Neutrality is to be also distinguished from permanent neutrality where the State's independence and integrity are guaranteed by other States, under the condition that such State binds itself never to participate in any armed conflict or military operation except for individual self-defence against attack, e.g., Switzerland (Sørensen, *op. cit.*, p. 843). Note, however, that Neutralization is a status imposed by multilateral treaties; for instance Austria is "neutralized" by the treaty of March 1955. (Schuman, F. L.: *International Politics*, New York: McGraw-Hill Book Co., 7th ed., 1969, p. 654).

converted it into a peace-observing and peace-keeping organization.

In international relations in general, the policy of Non-Alignment has developed into a very useful medium for initiating negotiations between East and West. In fact, after the Second World War, India wanted to use it in its attempts to bridge the gulf between the East and West blocs in order to minimize the conflicting elements and thus encourage peace.

In the periods of the 'Cold War' the policy of Non-Alignment is not to be seen in its negative aspect, i.e., remaining aloof from the 'Cold War' alignments, but in its more positive attempt implicit in this policy, of emerging as the 'area of agreement' between the great powers of the world; and this should be considered the core of India's foreign policy.²² For instance in a 'Cold War' dispute like Korea, a non-aligned state like India, has a great chance of successful mediation.

It was on 12 June 1952 that Nehru put forward in the Indian Parliament the idea of promoting an 'area of peace'²³ which would come between the two power blocs. It was intended to have an area consisting of those countries, in Asia and elsewhere, which would decide for themselves to remain independent, not to enter the war in any case, and to restrict the war to other regions. They hoped thereby to save themselves as well as others and intended to make this viewpoint clear to the warring camps of world politics.²⁴

Politically the countries of the 'area' would have to work collectively to reduce 'Cold War' tensions and to eliminate colonialism and racialism. Whenever possible the non-aligned

22. Power, P. F. (ed.) : *India's Non-Alignment Policy* (Boston : D.C. Heath and Company, 1967), p. 11.

23. The 'area of peace' should not be confused with a 'third force' or a 'third bloc'. This would mean Non-Alignment is a 'power bloc' which is a contradiction of its principles. V. K. K. Menon categorically rejected the 'third bloc' and said that it was a foolish idea to compare it with the 'area of peace'. (Brecher, *India and World Politics*, op. cit., p. 306).

24. Malik, D. N. : *The Development of Non-Alignment in India's Foreign Policy* (Allahabad; India: Chaitanya Publishing House, 1967), p. 278.

in international disputes. India's active participation in different negotiation and conciliation commissions of the United Nations peace-keeping operations was productive because of this policy. Moreover, in situations where the major powers were reluctant to intervene because the potential dangers seemed too high, for example in the Congo and Laos, particularly since one intervention would prompt another, some form of neutrality seemed clearly preferable.³¹

So far it is on the non-aligned nations that the brunt of supplying the forces for peace-keeping operations falls. India's independent policy is to judge each issue on its merits, avoid military alliance with blocs, and to retain its impartiality based on larger world interests rather than on the narrow and limited interests of one power or group of powers, and this positive and constructive policy has been a great contribution to the United Nations peace-keeping operations so far. No doubt for effective United Nations peace-keeping operations it is still up to the non-aligned nations to take an interest in how these operations are undertaken, organized and manned.

(B) PEACEFUL CO-EXISTENCE AND PEACE-KEEPING OPERATIONS

(i) *The Concept of Peaceful Co-existence*

Peaceful Co-existence or what Nehru called 'Panch Sheel'³² and Non-Alignment make the 'twin foreign policy of India'. The idea of co-existence is not a new one either to international relations or to international law. "It has been", said Prime Minister Nehru, "our way of life and is as old as our thought and culture".³³ He added that about 2,200 years ago

31. Rothstein, R. L. : "Alignment, Non-Alignment and Small Powers 1945-1965", *International Organization*, Vol. XX, No. 2, Spring 1966, p. 412.

32. Panch=five; Sheel=habit, customs; Panch Sheel=5 principles of rules of conduct; they are: 1. Mutual respect for each other's territorial integrity and sovereignty, 2. Non aggression, 3. Non-interference in each other's internal affairs, 4. Equality and mutual benefit and 5. Peaceful Co-existence.

33. Nagendra Singh: *India and International Law* (Madrid: Institute "Francisco De Vitoria". 1969). p. 15.

Neutrality. "I dislike neutrality, because there is a certain passivity about it" (Nehru).²⁶ "We are not a neutral country," says V. K. K. Menon, "we want it understood that we do not welcome this appellation of being called a neutral or neutralist whatever it means....we are not neutral in regard to war and peace—we are not neutral in regard to domination by imperialist or other countries....."²⁷ On the contrary, a non-aligned policy is dynamic and independent, it judges world events on their merits and in accordance with the national interest. This is why when India's non-aligned policy was criticized by many Westerners on India's withdrawal from the United Nations Emergency Force (UNEF), Mr. M. C. Chagla, the then Foreign Minister of India, stated that "we were non-aligned in the withdrawal of UNEF, we were not neutral".²⁸

Indian statesmen did not like the term "Neutrality" to be confused with Non-Alignment. Prime Minister Nehru, for instance, observed that neutrality is commonly used in war time; in peace time it indicates a sort of war neutrality. India's neutrality meant simply that it had an independent policy and judged questions on their merits.²⁹

Non-Alignment is an independent policy based on 'Peaceful Co-existence' with support for the national liberation movements and refusal to join a military pact or allow foreign troops or bases on one's territory. In this way, India could secure the friendship of a large number of countries and practically no country would be really hostile to India. This is why it could have an effective mediatory role and reduce hostilities

26. Jawaharlal Nehru's *Speeches, 1949-1953*, Vol. II, *op. cit.*, p. 128.

27. Quoted in Palmer, N.D.: *The Indian Political System* (London: George Allen and Unwin, 1961), p. 236.

28. *Foreign Affairs Records*, Ministry of External Affairs, New Delhi, Vol. XIII, No. 7, July 1967, p. 102.

29. Neutrality is defined as the policy of not seeking to affect the outcome of conflicts between other states and thus not becoming involved in the conflicts especially in the disputes and friction generated by the East-West conflict after the Second World War (Srensen *op. cit.*, p. 842).

30. *The Times*, 7 July 1956.

- (b) The sovereign equality of States must be recognised and respected;
- (c) States must abstain from all use of threats or force directed against the territorial integrity of other states;
- (d) All international conflicts must be settled by peaceful means in a spirit of mutual understanding and on the basis of equality and sovereignty."

The essence of Peaceful Co-existence is the co-existence of countries which differ in their policies. They welcome the flow of thought and ideas of all kinds but they reserve the right to choose their own path.

(ii) *Peaceful Co-existence and Peace-Keeping Operations*

The most important objective of the United Nations is 'to save succeeding generations from the scourge of war', and thus ensure friendly relations among nations in order to attain world peace. Like United Nations peace-keeping operations, Peaceful Co-existence could be an important factor in ensuring these objectives. In fact, its mere existence could lead to lasting peace in the world. It is to be noted that Peaceful Co-existence is intended to result in the diminution of tensions, overcoming of the limitations of bloc politics, strengthening of confidence in international relations, and the settlement of controversial issues by peaceful means. This is why Prime Minister Nehru observed in Parliament, "I imagine that if these principles were adopted in the relations of various countries with each other, a great deal of the trouble of the present day would probably disappear".

'Panch Sheel' is one of the major instruments that India relies on to ease tensions and to hinder aggressions. The treaty on Tibet between India and the People's Republic of China signed on 29th April 1954, was the first time India

37. *Foreign Affairs Records*, Vol. X, No. 10, October 1964, pp. 249-260.

38. Quoted in Rajan, *India in World Affairs*, op. cit., p. 51.

a great son of India, Emperor Ashoka, proclaimed it and inscribed it on rocks and stones which exist to-day and give us his message. Ashoka told us that we should respect the faith of others and that a person who extols his own faith and denigrates another faith injures his own faith. This is the lesson of tolerance and Peaceful Co-existence and co-operation, which India has believed in through the ages and that is why it tries to be friendly with all countries whether it agrees with them or not."

Ever since these ideas have been accepted in international relations, they have not only spread through the world and influenced more and more countries, but have acquired a greater depth of meaning."

In the early 20s of this century the concept of Peaceful Co-existence was much discussed by Socialist countries. Lenin's point of view was: "as long as Capitalism and Socialism exist, we cannot live in peace; in the end one or the other will triumph—a funeral dirge will be sung over the Soviet Republic or over world Capitalism".³⁴ Thus the Soviet definition suggests the impossibility of the co-existence of diametrically opposed systems. Fortunately, the facts of history have not borne out Lenin's rather pessimistic prediction.

Later, the Bandung conference of African and Asian countries in April 1955 and Non-Aligned conferences have also promoted the idea of Peaceful Co-existence. It was the Cairo Non-Aligned conference which tried to put forward certain criteria for Peaceful Co-existence:

- (a) Peaceful Co-existence between states with differing social and political systems is both possible and necessary. It favours good neighbourly relations and the establishment of lasting peace;

34. Nagendra Singh, *India and International Law*, op. cit., p. 15.

35. Pal, K. C.: "The Panch Shila and World Peace", *Modern Review*, 2, February 1956, p. 116.

36. Appadorai, A.: *The Use of Force in International Relations*, (New Delhi: Asia Publishing House, 1958), p. 73.

calls upon all states to make every effort to strengthen international peace and to develop friendly and co-operative relations and settle disputes by peaceful means as enjoined in the Charter and as set forth in this resolution".⁴⁰ In fact, the United Nations General Assembly, feeling the urge to formulate the principle of Peaceful Co-existence, set up a Special Committee to undertake this task. The efforts date back to 1962 when the first attempt was made by the General Assembly to formulate principles of international law concerning friendly relations and co-operation among states.⁴¹

The Special Committee on principles of international law concerning friendly relations and co-operation among States⁴² put forward the Seven Principles to the General Assembly. They are: the non-use of force, the peaceful settlement of disputes, non-intervention, sovereign equality, the duty to co-operate, equal rights and self-determination, and the fulfilment of obligations under the United Nations Charter.⁴³

A Drafting Committee drawn from the Special Committee presented a draft resolution, which was adopted by the General Assembly resolution 2627 (XXVI) on 24 October 1970. Inter alia, it stated "the principle that States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the purposes of the United Nations".⁴⁴

"Panch Sheel" may generate and strengthen the feeling everywhere that the world struggle for peace to-day is far more important than all the struggles for power which lead ultimately to war. In this way the fear between the Big Powers and

40. UN GA Res. 1236 (XII), 14 December 1957.

41. UN GA Res. 1815 (XVII), 18 December 1962.

42. The members are: Algeria, Argentina, Australia, Burma, Cameroon, Canada, Chile, Czechoslovakia, Dahomey, France, Ghana, Guatemala, India, Italy, Japan, Kenya, Lebanon, Madagascar, Mexico, the Netherlands, Nigeria, Poland, Romania, Sweden, Syria, the USSR, the UAR, the USA, Venezuela and Yugoslavia.

43. *UN Monthly Chronicle*, Vol. VII, No. 4, April 1970, p. 77.

44. *UN Monthly Chronicle*, Vol. VII, No. 6, June 1970, p. 64.

used this principle in international relations. Later, at Geneva for the first time since the start of the 'Cold War', Communist and non-Communist states succeeded in reaching a negotiated settlement on the dispute relating to Indo-China. These encourage the hope that mediated solutions of world disputes are not impossible. If the principle of co-existence, as stated by Nehru, is applied in international relations generally, it would form a solid foundation for peace and be conducive to a feeling of confidence among states."

It is essential for the effective functioning of the United Nations that all nations should observe its fundamental principles of Peaceful Co-existence. 'Panch Sheel' is the reaffirmation of its objectives and aims. The first principle of the 'Panch Sheel', i.e., 'mutual respect for each other's territorial integrity and sovereignty' corresponds to Article 2 para. 1 of the Charter of the UN. The second principle, 'Non-aggression', corresponds to Article 2 para. 4 ("All Members shall refrain.....from the threat or use of force"). The third principle, "equality", is covered by Article 2 para. 1; and 'mutual benefit' has been stated in Article 2 para. 5. The fourth principle is 'non-interference', which is found in Article 2 para. 7 ("nothing.....shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state....."). And the fifth principle, "Peaceful Co-existence", is seen in the preamble of the Charter of the United Nations ".....to practice tolerance and live together in peace with one another as good neighbours....."; Article 1 para. 2 says: "to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace"; and Articles 2, 33, 55 and 56 also contain provisions for Peaceful Co-existence.

Further, India, Sweden and Yugoslavia drafted a United Nations resolution which was adopted by the General Assembly on Peaceful Co-existence in 1957: ".....the General Assembly

39. *Foreign Policy of India, Texts of Documents 1947-1959* (New Delhi: Lok Sabha Secretariat, 1959), pp. 113-114.

existence would find the use of force reduced to a minimum, and persuasion which implies understanding, mutual consideration, concession and agreement would be the dominating factor in attempts to settle international disputes.*

To-day the world has to choose one of the two alternatives, either the way of disputes which ultimately leads to war, or the way of Peaceful Co-existence and Co-operation where true peace lies. So the Universal acceptance of the concept of Peaceful co-existence is very important for the just and peaceful development of the world. Of course, it is not enough that there should be Peaceful Co-existence among major or super-powers; it is even more important for developing states to adopt the concept of Peaceful Co-existence as basic to harmonious relations among themselves.

(C) NON-VIOLENCE AND PEACE-KEEPING OPERATIONS

(i) *The Concept of Non-Violence*

Although Non-Violence or 'Ahimsa' is not a constituent element of Indian foreign policy, as a formalistic policy it has very much influenced the formation of Indian foreign policy. If India's foreign policy must be in keeping with its past and its national independence movement, no doubt Non-Violence has played an essential role in this respect. It is from the non-violent moral concepts of 'Ahimsa' that India's active policy of neutralism and its determined efforts to preserve the peace derive. It is also to be remembered that India achieved its independence through non-violent methods.

Although Non-Violence has long been the way of life of certain Indian religious groups, it was Mahatma Gandhi who first provided the leadership for the use of non-violent methods in political struggles on a mass scale. But there are two trends in Gandhi's thought on this matter, one connecting Non-Vio-

48. Saxtri, K. R. S.: "Hinduism and International Law", *Revue des Cours*, 1966 (1), Tome 117, p. 612.

49. Literally 'Ahimsa' means harmlessness, non-injury.

the Small Powers could be reduced to a minimum by confidence. At times the rivalry of power politics has been a handicap to the United Nations peace-keeping operations and has often been one of the causes for them. The importance of Peaceful Co-existence in this respect was well noted in the Belgrade conference on non-aligned states (1961): "all peoples and nations have to solve the problems of their own political, economic, social and cultural system in accordance with their own conditions, needs and potentialities....in this perspective peaceful co-existence is the only alternative to the 'Cold War' and to a possible general nuclear catastrophe".⁴⁵

Furthermore if the principle of the Peaceful Co-existence of all nations of the world is fully accepted, it will inevitably lead to the abolition of colonialism, neo-colonialism and racism (which were at the roots of many international conflicts). The three conferences of non-aligned nations have repeatedly stressed this principle.

The wider acceptance of these principles will enlarge the 'area of peace', promote mutual confidence among nations, pave the way for greater international co-operation. It will become possible to seek peaceful solutions to international questions by negotiation and conciliation.

Co-existence is a state of existence among various countries which are not in full agreement but tolerate one another. In other words, it means non-intervention in the domestic affairs of other nations and non-insistence on a uniform ideology all over the world.⁴⁶ Therefore Peaceful Co-existence does not mean surrender of one's convictions, or appeasement or defeatism, it means a readiness and willingness to understand and appreciate another's point of view in international relations.⁴⁷

The countries which follow the principle of Peaceful Co-

45. Nagendra Singh: *Recent Trends in the Development of International Law and Organisation promoting Inter-State Co-operation and World Peace* (Delhi: S. Chand & Co. 1969), p. 92.

46. Govinda Raj, *op. cit.*, p. 4.

47. Rajan, *India in World Affairs*, *op. cit.*, p. 53.

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48. Sastri, K. R. S.: "Hinduism and International Law", *Excellent des Cours*, 1966 (1), Thome 117, p. 613.

49. Literally 'Ahimsa' means harmlessness, non-injury.

lence with religion and faith in God and another emphasising the practical implications of the use of non-violent methods. Thus he considered Non-Violence to be a Force—'a love force' or 'soul force' or 'undestructible force'.

Satyagraha⁵⁰ was the tool which Gandhi used to obtain these aims. It was not simply an individual action but group and mass action.

The negative concept of Non-Violence means absence of violence or the use of force against life; positively it implies 'active love towards all beings'. Acharaya Vinobha Bhave, a great follower of Gandhi, commented that Non-Violence is a negative word representing a positive concept—the concept of love.⁵¹

(ii) *Non-Violence and Peace-Keeping Operations*

The basic rule of the United Nations is that international disputes should be solved, primarily through peaceful methods. To this effect, the United Nations peace-keeping operations, as far as possible, have used 'peace-making' means before using any kind of force. Non-Violence, too, could without doubt be one of the major instruments for the peaceful settlement of international disputes.

Mahatma Gandhi always insisted that the Congress Party (the ruling Party of India) accept the application of Non-Violence in India's external relations⁵². Later he himself organized the national fight for independence through Non-Violence, and because of its success, he recommended to the whole world that political objectives should be attained through Non-Violence;⁵³ and pleaded that efforts should be made, as far as

50. Satyagraha seemed to be borrowed from Indian traditional teachings and other sources like the writings of Tolstoy. Etymologically, Satyagraha means firmness in good cause; this was first founded by Gandhi in South Africa, in 1906.

51. *The Times of India*, 27 October 1969.

52. Mallik, *op. cit.*, p. 24.

53. Power, *op. cit.*, p. 2.

possible, to solve even difficult international problems by peaceful means.

Gandhi was of the opinion that India, following Non-Violence in its international relations, would be able to work for world peace which was one of the aims of his life. For this he proposed the institution of world Government, disarmament and an international police force.

All international disputes, according to Gandhi, could be solved by satyagraha. It should be a substitute for military action. Satyagraha for him is a law with universal application. Beginning with the family, its use can be extended to every circle. "This I do say fearlessly and firmly, that every worthy object can be achieved by the use of satyagraha".⁵⁴

International tensions are very often the reflection of intra-national tensions, just as tensions within society are often due to tensions within the individual. Gandhi's answer to the problem of violence, internal and international, was to train mankind to overcome these tensions. He added that once tensions within society are reduced, international tensions will automatically diminish. Gandhi goes on to stress the importance of Non-Violence in a society: "It is obvious that we do use Non-Violence in a limited way from time to time in our daily life. In all our societies, however primitive or sophisticated, we create certain laws and regulations. Even traffic laws are a form of organizing society in a non-violent way".⁵⁵

To-day we live in a violent society. Everywhere there is a mood of restlessness and a desire for change. But peace and

54. Gandhi, M. K.: *Towards Non-Violent Socialism* (Ahmedabad: Navajivan Publishing House, 1931), p. 12. Gandhi has proposed certain conditions for a successful satyagraha:

- (a) The satyagrahi (one who practises satyagraha) should not have any hatred in his heart against the opponent;
- (b) The issue must be true and substantial;
- (c) The satyagrahi must be prepared to suffer to the end (Gandhi, M.K.: *Non-Violence in Peace and War*, Vol. II, Ahmedabad: Navajivan Publishing House, 1943, p. 34).

55. *Indian and Foreign Review*, Vol. V, No. 9, February 15, 1969, p. 3.

security among nations can be achieved only through the elimination of all concepts of violence from the minds of men and for which there are provisions in the Charter of the United Nations.

The Indian belief in the non-use of force, the use of self-restraint, and self-reliance forms the hard core of Gandhi's teachings. Indeed these principles are also enshrined in the United Nations Charter. The famous words of Gandhi "if one takes care of the means, the end will take care of itself", have a special significance for the United Nations, which is the only practical means we have for maintaining a world order based on peace, mutual respect and equality." Secretary-General U Thant on the occasion of the Gandhian centenary further observed that many of the ideas of M. Gandhi are in line with the principles and purposes of the Charter of the United Nations." For instance, the Charter calls upon us to refrain from the threat or use of force, in Art. 2 paras. 3 and 4 and Art. 33 states that in international disputes the parties "shall first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements or other peaceful means of their own choice."

Gandhi through his non-violent methods wanted to rule out the resort to physical force and replace it by moral pressure. The effectiveness of this is remarkable in the face of foreign aggression and internal disorder, as was proved in the Indian struggle for independence. Negotiations which replace the use of force have to take place under psychological pressure. Gandhi once said that suffering was essential because only suffering could produce the psychological conditions for effective negotiations. He also taught us the doctrine of Non-Violence not as a passive submission to evil, but as an active movement, much more active than one involving the use of death-dealing weapons." At the same time, it is a positive ins-

56. *Foreign Affairs Records*, Vol. XV, No. 10, October 1969, p. 178.

57. *India News*, 5 October 1968.

58. Gandhi, *Non-Violence in Peace and War*, Vol. 1, *op. cit.*, p. 113.

trument for the peaceful solution of international differences. In this way the people and Government of India are convinced that all countries can solve their problems by peaceful means just as Indians were able to obtain their independence from one of the greatest and most powerful empires through non-violent means.

From the above stated we can conclude that Gandhi was an opponent of all warfare. But at the same time, if there were no other way of securing justice, he would allow nations even to go to war.⁵⁹ In fact, Nehru's restraint on the problem of Goa before 1961 was a testimony to that effect. A show of force would have been possible, naturally it would have ended up in conflict. Invasion or annexation was possible. Yet Nehru rejected these actions, in part not to alienate Western goodwill and partly because of the very principles of Non-Violence.⁶⁰

Power-politics and problems involving majorities versus minorities were some of the causes of the United Nations interventions in international disputes. In a non-violent society these problems would not arise for the simple reason that the weakest nation, or a minority, would have the same opportunity as the strongest. In the final analysis, in a fully non-violent society there are no minorities, for all are one people.

Military alliances and the use of armed forces cause mutual distrust among countries. The use of non-violent methods does a great deal to produce friendly relations among nations—thus avoiding disputes and conflicts. Moreover, a really non-violent country would be forced to withdraw from military alliances.⁶¹

In the Korean conflict, for instance, India continuously

59. Gandhi *Non-Violence in Peace and War* Vol. 1, *op. cit.*, p. 191. This was proved in particular, in Hyderabad (1948), Kashmir (1948) and Goa 1961).

60. Brecher, M.: *Nehru: A Political Biography* (London: Oxford University Press, 1959), p. 215.

61. Horsburgh, H. J.: *Non-Violence and Aggression, A study of Gandhi's Moral Equivalent of War* (London: Oxford University Press, 1968), p. 138.

objected to the United Nations using the counter-aggression when North Korea invaded the South. It thought that the best way of discouraging aggression is through the release of non-violent forces. This may be the philosophical reason for the difference between the Indian stand on Korea and that of other countries.

A non-violent nation would also be committed to liberating colonial territories and fighting against racialism. It is to be remembered that Gandhi first developed his philosophy and technique of non-violent struggle in South Africa and put it into practice there in the struggle against racialism. Later he perfected this in India into a vast non-violent national movement against imperialism.⁶²

Non-Violence could also be a unifying force among different powers and races involved in the United Nations' struggles for peace in the world; because it discovered unity in diversity. It is this tolerance of diversity that should be the golden rule of conduct in our international relations, because intolerance soon degenerates into violence.⁶³

Long experience has proved that through Non-Violence—and only through Non-Violence—can mankind be saved. Therefore a non-violent technique has to be practised for the solution of international conflicts. And it is well known that India was and is a fit instrument to deliver the message of Non-Violence to mankind, because from time immemorial, it has had an outstanding tradition of Non-Violence and till to-day no other country can replace it in the fulfilment of that mission.

62. *Foreign Affairs Records*, Vol. X, No. 10, October 1964, p. 245.

63. *Indian and Foreign Review*, Vol. VII, No. 2, November 1, 1969, p. 4.

CHAPTER II

India and the Committee of 33

The nature of the Peace-Keeping Operations of the United Nations and the manner in which they should be financed have been the subject of considerable debate since the establishment of UNEF and ONUC (UN Congo Operation). There were particularly two conflicting positions as regards these operations: The United States of America and a good number of UN Members were of the opinion that expenses involved in ONUC and UNEF come under "Expenses of the Organization" in the sense of Art. 17 para. 2. Accordingly, the costs are to be borne by all Members of UN. While the USSR, France and some other countries considered these expenses to be illegal since UNEF and ONUC were executed in violation to the provisions of the United Nations Charter. They strongly felt that the Security Council is the only organ competent in all questions of peace.

Towards the end of 1961 the General Assembly noticed substantial arrears in the payment of assessments mainly for UNEF and ONUC. The General Assembly then adopted a resolution to obtain the advisory opinion of the International Court of Justice for its legal guidance. On December 19, 1962 the Assembly voted the acceptance of the advisory opinion of the International Court to the effect that the expenditures for these operations constitute "Expenses of the Organization"

within the meaning of Art. 17 para. 2 of the Charter, expenses binding States to pay their assessed shares.' The General Assembly also established a Working Group of 15 (later increased to 21) for the Examination of the Administrative and Budgetary Procedures of the United Nations.' The Working Group was to study special methods for financing peace-keeping operations of the United Nations involving heavy expenditure, such as those for the Congo and the Middle East. The Working Group later proved a failure, since it did not offer appropriate solutions to the financial problems resulting from the UNEF and ONUC.

During the 19th session of the Assembly it became clear that a far more comprehensive study of all aspects of the question of Peace-Keeping Operations was imperative. It was on 18 February 1965 through resolution 2006 (XIX) that the General Assembly authorized its President to establish a Special Committee on Peace-Keeping Operations to undertake "a comprehensive review of the whole question of peace-keeping operations in all their aspects, including ways of overcoming the present financial difficulties".² In general the Committee

1. UNGA Res. 1731 (XVI), 20 December 1961.

2. The Members are: Argentina, Australia, Brazil, Bulgaria, Cameroon, Canada, China, France, India, Italy, Japan, Mexico, Mongolia, the Netherlands, Nigeria, Pakistan, Sweden, the UAR, the USSR, the UK and the USA.

3. See more details, UN Documents:

A/5915, 15 June 1965;	A/7396, 12 December 1968;
A/5916, 31 August 1965;	A/7553, 18 December 1968;
A/6158, 13 December 1965;	A/7742, 3 November 1969;
A/6414, 30 September 1966;	A/7878, 11 December 1969;
A 6603, 15 December 1966;	A/8051, 1 October 1970;
A/6637, 21 April 1967;	A/8175, 23 November 1970;
A/6654, 17 May 1967;	A/8350, 3 December 1971;
A/6815, 14 September 1967;	A/8383, 13 November 1972;
A/6959, 9 December 1967;	
A/7131, 2 July 1968;	A/AC. 12/1—21 of 26 March 1965 to May 1972.

UN General Assembly Resolutions:

2006 (XIX), 18 February 1965;	2451 (XXIII), 19 December 1968;
2053 (XX), 15 December 1965;	2576 (XXIV), 15 December 1969;
2220 (XXI), 15 December 1966;	2670 (XXV), 8 December 1970;
2249 (ES-VI), 23 May 1967;	2835 (XXVII), 17 December 1971;
2308 (XXII), 13 December 1967;	2965 (XXVII), 13 December 1972;

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has two tasks to perform: one is to ensure the normalization of the work of the General Assembly and the overcoming of the present financial difficulties facing the Organization; the other is to investigate the wider aspects of political and constitutional problems involved, which must necessarily include as clear a definition as possible of what constitutes a peace-keeping operation.

The maintenance of international peace and security is one of the principal purposes of the United Nations (Article 1 para. 1 of the Charter), and, therefore, in certain circumstances, peace-keeping operations are essential. To-day these operations have become a very complex and difficult issue. For there are different questions to be cleared up: firstly, peace-keeping operations have no well defined machinery nor any clear legal provisions in the Charter. Even the need for a comprehensive review of peace-keeping operations, observed the Indian delegate, Mr. B. N. Chakravarty, to the Committee of 33, had arisen because of a conflict in the interpretation of certain provisions of the Charter, Article 19, for instance.⁴

Secondly, the situation in which peace-keeping operations were visualized in 1945 has undergone a great change. The framers of the Charter were under the impression that international disputes could be settled by the concurrent collaboration of the Permanent Members. But the 'Cold War' which followed changed the whole situation. The 'detente' among the Super Powers at present reaches a stage, where they even wish to settle international disputes by themselves. It was also proposed that they would be willing even to compose and formulate a United Force for the cause of peace.⁵ In this situation the

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The members of the Committee of 33 are: Afghanistan, Algeria, Argentina, Australia, Austria, Brazil, Canada, Czechoslovakia, El Salvador, Ethiopia, France, Hungary, India, Iraq, Italy, Japan, Mauritania, Mexico, the Netherlands, Nigeria, Pakistan, Poland, Romania, Sierra Leone, Spain, Sweden, Thailand, the USSR, the UAR, the UK, the USA, Venezuela and Yugoslavia.

4. UN Doc. A/AC.121/8II.4, 23 June 1963, p. 4.

5. *Tribune de Geneve*, 8 January, 1971.

Charter as far as peace-keeping operations were concerned.* Without deciding which interpretation of the Charter was the correct one, the Indian delegate suggested a possible compromise and said, "the dispatch of armed personnel, other than for the mere purpose of observation or investigation, should be within the exclusive power of the Security Council".⁹ So it did not exclude the considerable powers given to the General Assembly under Articles 10, 11, 14 and 35 of the Charter. For example, the General Assembly could undertake such operations as observation, and investigation, provided that these operations were not carried out by units placed under military command and that the units were not responsible for their own security. However, its powers were limited to the discussion of questions relating to the maintenance of international peace and security and to the making of recommendations.¹⁰

In conclusion, according to the Indian view, certain types of operations, excluding those under chapter VII, but involving the stationing of armed personnel for the purposes of observation and investigation, could be undertaken either by the General Assembly or by the Security Council at the invitation of the States concerned, or with their express consent. And in this way, the respective competences of the Security Council and General Assembly were specific and well-defined under the Charter and were intended to be complementary.

Finance was another very important matter discussed in the Committee of 33. The financial problem had two aspects: the question of so-called arrears and the question of financing peace-keeping operations in the future. Obviously, according

9. The two major interpretations were that of the Soviet, French and Czechoslovak delegations who held that only the Security Council could approve the use of armed forces by the United Nations; and that of the USA, Italy and Sweden who expressed the view that although the responsibilities of the Security Council and General Assembly were clearly defined in the Charter, the General Assembly could undertake essentially voluntary operations, which required both an invitation from or the consent of the country in whose territory the operations were to take place, and the agreement of all interested parties. (UN Doc. A/AC. 121/SR. 4, 22 June 1965, p. 6).

10. *Foreign Affairs Records*, Vol. XI, No. 11, November 1965, p. 311.

11. UN. Doc., A/AC. 121/SR. 4, 22 June, 1965, p. 5.

ever it is certain that operations such as those in the Congo or Gaza are unlikely to be repeated in the future without the prior adoption of acceptable financing arrangements.

In general, the Government of India accepted the principle of collective responsibility and always paid its contributions and supported peace-keeping operations with men, material and money. Therefore, the Indian delegate stressed the principle, irrespective of any interpretation of Article 17 para. 2, that: "operations coming under the category of peace-keeping operations, sanctioned by an appropriate organ of the United Nations, become the responsibility of the United Nations as a whole. Consequently, the financing of such operations becomes the collective responsibility of the members of the United Nations".¹⁶

The apportioning of the expenditure on such peace-keeping operations, according to the Indian view, should depend upon the responsibility and capacity of the members to pay. Thus the Permanent Members of the Security Council have a special responsibility for the maintenance of international peace and security and, therefore, for contributing to the financing of the peace-keeping operations." There is, of course, a special obligation incumbent upon the state or states primarily responsible for the state of affairs necessitating peace-keeping operations.

As regards the capacity to pay, India's permanent representative Mr. C. S. Jha had already suggested in 1961 that assessment should be related to the capacity of countries with

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by the participating nations, all Members were assessed on the same scale as in the regular budget. The USSR and France refused to pay their assessments saying that under the Charter the financing of peace-keeping operations and its distribution of expenses are to be decided by the Security Council. Whereas, the US defended that the financing of peace-keeping operations and distribution of expenses could be decided by the General Assembly. Thus the financial responsibility is collective to all Member States of UN. (UN Doc. A/5915, 15 June 1965).

16. UN Doc. A/4971 Annex. 11, 15 November 1961, p. 7.

17. UN Doc. A/4971, 15 November 1961, p. 8.

to the Charter, it is possible for the Security Council to make arrangements for conducting a peace-keeping operation, including such financing as may be necessary, through Article 43. If however special arrangements under Article 43 are not possible, according to the Indian delegate, the Security Council has four ways open to it for the financing of peace-keeping operation:

- (i) It could decide that the parties to a dispute should themselves finance the operations;
- (ii) It could decide that the operations should be financed by voluntary contributions;
- (iii) It could decide that the operation should be financed by apportioning the cost among all or some members of the Council itself;
- (iv) It could request the General Assembly to find ways and means to finance the operation.¹²

Once the Security Council took the decision on any peace-keeping operation and failed to make any financial arrangements under Article 43 or otherwise, it should be the responsibility of the General Assembly to find the means for financing that operation and to apportion the costs involved among Members.¹³ In any case, the essential point is, that in the view of the Indian delegation, the Security Council does not have the authority to tax the entire membership of the organization without their concurrence and such concurrence can be obtained only through the General Assembly.¹⁴ It is to be noted that only in the case of the UN Emergency Force and the UN Congo operation, did the General Assembly attempt to force unwilling states to contribute to peace-keeping operations.¹⁵ How-

12. *Foreign Affairs Records*, Vol. XII, No. 11, November 1966, p. 283.

13. UN Doc. A/AC. 121/SR. 4, 22 June 1965, p. 7.

14. *Foreign Affairs Records*, Vol. XII, No. 11, November 1966, p. 283.

15. UNEF and ONUC had an *ad hoc* account for the financial clearance. However, for costs other than those which had been waived

agreement on one aspect at a time.²² As a result, a Working Group of 8 (later increased to 13) within the Special Committee was formed.²³ Subsequently, the Working Group concentrated on two 'Model' studies. The first Model dealt with military observers established or authorized by the Security Council for observation purposes. The Working Group, in the course of time, indicated that there was a consensus on the question of authorization, establishment and composition of an observer mission which had been discussed by the Security Council. However, differences of opinion still persist as regards control and legal and financial arrangements of peace-keeping operations. Model II is also under consideration, which would deal with United Nations peace-keeping operations on a larger scale.²⁴

The Government of India is very closely participating in the Committee's activities, particularly its recent 'Models'. Its delegate, however, rightly remarked that each of the Models should be examined independently, and one should not become a precedent for the other.²⁵ The progress which the Committee has achieved, after a long discussion of 7 years, is undoubted. However, looking at the key role played by peace-keeping operations in the peace and security activities of United Nations, it is bound to provoke differences of opinion. Hence, it would seem that a final consensus on the different aspects of peace-keeping operations is still far off.

22. UN Doc. A/AC. 121/SR. 2834, 23 May 1963.

23. The Working Group consisted of: Argentina, Brazil, Canada, Czechoslovakia, France, India, Japan, Nigeria, Pakistan, the UAR, the UK, the USA, and the USSR.

24. UN Doc. A/AC. 121/L. 10, 8 September 1970.

25. *UN Monthly Chronicle*, Vol. VII, No. 4, January 1970, p. 105.

low per capita incomes of up to \$ 300 to pay and they must be given special consideration so that their percentage contribution will be more or less a token one. In other instances, generally, the capacity to pay should be assessed in proportion to the national income.¹⁸

Voluntary contributions are not excluded in the peace-keeping operation. However, the system adopted for financing peace-keeping operations should contain provisions to meet the entire cost without reliance on such voluntary contributions.¹⁹

India was also of the opinion that the possibility of establishing a peace and security fund for the future peace-keeping activities should be studied.²⁰

The Indian delegation also observed that in future Peace-Keeping Operations, the fund should result either from voluntary contributions or from an assessment which would be compulsory in nature. It would be impractical to attempt to solve the problem with which we are faced simply by a resolution of the General Assembly. It would be far better to arrive at a consensus of views.²¹ However, as the future peace-keeping operations are unlikely to be undertaken when there is such a difference of opinion, finance does not appear to present any serious problem.

Already in the course of 1965 the lack of progress in the Committee's work was observed. India's firm position was that an agreement among the major powers was seen to be imperative for a speedy solution. Therefore, since Peace-Keeping Operations are complex to deal with in their entirety, and attempts to do so led to failure and frustration, the Indian delegate suggested that it might be more expedient and practical to divide the problem into its component parts and try to reach

18. *The Hindu*, 27 July 1961.

19. UN Doc. A/4971, 15 November 1961, pp. 9-10.

20. *Ibid.*, p. 10.

21. *Foreign Affairs Records*, Vol. XI, No. 11, November 1965 p. 311.

PART TWO

**INDIA'S POLICY AND PARTICIPATION
IN
VARIOUS UNITED NATIONS
PEACE-KEEPING OPERATIONS**

CHAPTER III

India and the United Nations Intervention in Korea

I. *The Division of Korea**

The legendary beginning of Korean history dates from 2545 BC. Geographically and historically, Korea occupies the heart of the strategic triangle of North Asia, with Siberia on one side, China on another and Japan on the third. Its advantageous position in the Pacific had attracted the envious attention of powerful neighbours which explains why it was under Chinese suzerainty for centuries. Later Japan had to fight against China and Russia, formally to annex Korea as part of the Japanese Empire on August 15, 1910.

During the Second World War, President Roosevelt, Generalissimo Chiang and Prime Minister Churchill at the Cairo Conference in 1943 and Potsdam in 1945 guaranteed the re-establishment of Korean independence.¹ But in February 1945, it was reported that a 'secret agreement' had been made be-

*See for more details: Portway, Col. D.: *Korea—land of morning calm*. (London: G. G. Harrap, 1953).

Stone, I. F.: *The Hidden History of Korean War* (London: Turnstile Press, 1952).

McCune, S.: "The Thirty-eighth parallel in Korea", *World Politics*, Vol. 1, January 1949, pp. 223-232.

Oliver, R. T.: *The Truth about Korea—1951* (New York: Dood Mead, 1954).

Korea derives its name from a ruling dynasty 'Koryu' (918-1392).

1. Gordenker, L.: *The United Nations and the Peaceful Unification of Korea* (The Hague: M. Nijhoff, 1959), p. 1.

- (iii) Arrange with the occupying powers for the complete withdrawal from Korea of their armed forces as early as practicable.....”

Three successive United Nations Commissions on Korea were established after the resolution of 14 November 1947. They were the UN Temporary Commission on Korea (UNTCOK), UN Commission on Korea (UNCOK-I), and the UN Commission on Korea (UNCOK-II). Generally speaking, ‘the aim of all three Commissions was to secure the unification of Korea under an independent Government by peaceful means’.

As a first step towards a reunification of Korea, UNTCOK concentrated on a general election. But the refusal of the USSR and of the authorities in the northern zone to co-operate meant that the Commission had to be satisfied with observing the election in all accessible parts of Korea, i.e., only in South Korea. This took place on May 10, 1948. And on 12 December 1948 the United Nations declared that “there has been established a lawful Government (The Government of the Republic of Korea) having effective control and jurisdiction over that part of Korea where the Temporary Commission was able to observe and consult and in which the majority of the people of Korea reside”.

After the election in December 1948 the General Assembly extended the Commission on a more permanent basis (UNCOK-I).⁴ This Commission is to:

- (i) “lend its good offices to bring about the unification of Korea and the integration of all Korean Security Forces in accordance with the principles laid down by the General Assembly in the resolution of 14 November 1947;

4. UNGA Res. 112 (II), 14 November, 1947.

5. The members of UNTCOK: Australia, Canada, China, El Salvador, France, India, the Philippines, Syria and Ukrainian Soviet Socialist Republic.

6. UNGA Res. 195 (III), 12 December 1948.

7. Members of UNCOK-I: Australia, China, El Salvador, France, India, the Philippines and Syria.

tween the USA, the UK and the USSR, which allowed the division of the country into two; one half for the Russians and the other for the Americans.' However, on August 8, 1945 the Soviet Union declared war on Japan and occupied the North of the 38th parallel. Later, on September 8th the United States' forces accepted the surrender of the Japanese forces south of that line. Since then, Korea is divided into two parts and occupied by two major world powers. Although the 38th parallel was supposed to be a mere military line, it gradually became a virtually permanent political dividing line.'

II. *United Nations Intervention in Korea*

(A) *Before 1950*

It was on 17 September 1947 that the United States, further negotiations with USSR having failed, asked the United Nations to include this item on the agenda. As expected, the USSR objected to this and stated that the Korean question should be settled in the Joint Americano-Russian Commission established in December 1945. In spite of this, since the matter was considered urgent and a serious menace to international peace and security, the United Nations intervened with a resolution whereby the General Assembly established a United Nations Temporary Commission on Korea to hold an election under the supervision of the United Nations and to form a Korean Government with the assistance of the United Nations. Further it recommended the establishment of a national Government which was to:

- (i) "Constitute its own national security forces and dissolve all military or semi-military formations not included therein;
- (ii) Take over the functions of Government from the military commands and civilian authorities of North and South Korea; and

2. Portway, *op. cit.*, p. 44.

3. The area of the Republic of Korea is 98,477 sq. km., and its population 31,139,000 (1969); Area of the Democratic People's Republic is 120,538 sq. km., and its population 13,300,000 (1969).

vious resolutions of the General Assembly as well as a violation of the Principles of the Charter, the United Nations proposed a United Nations Force to counteract aggression."

It was the first time that the free nations of the world voluntarily united in action against aggression not directed against one of their members. It was also the first time that a United Nations Army was formed to fight under the UN banner and a UN Commander. The force known as 'Unified Command'¹¹ was under the command of General A. MacArthur of the USA. Although at the beginning it ran into some difficulties, by August-September it was able to launch an attack North of the 38th parallel. The aim behind this was to restore the status quo in Korea and to re-establish peace in that region.

(C) After 1950

So far, the United Nations objective had been to repel the aggression and force the aggressor to withdraw. Once this was achieved the establishment of an independent and unified Korea was to be attempted by peaceful means. On 7 October 1950 UNCURK (UN Commission for the Unification and Rehabilitation of Korea)¹² was established by the General Assembly, to achieve the full restoration of international peace and security in the area.

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11. UN SC Res., S/1501, 25 June 1950, and S/1511, 27 June 1950.

Since the USSR was absent from the Security Council it was possible to take a decision, for normally, the Security Council is powerless to take action of any kind where the Great Powers do not agree and any one of them registers its dissent. Controversy was widespread as to the legality of the Security Council taking action in the absence of the USSR. According to Article 27 of the Charter a veto requires a Permanent Member of the Security Council to be present and cast a negative vote. In this particular case the USSR was absent for a long time, so it can be concluded that mere absence does not violate the requirements of Article 27. Moreover, the presence of the UN Commission in Korea and the presence of the US military forces in Japan helped the UN to intervene quickly.

12. 17 members participated in the Force: Australia, Belgium, Canada, Colombia, Ethiopia, France, Greece, Luxembourg, the Netherlands, New Zealand, the Philippines, the Republic of Korea, Thailand, Turkey, South Africa, the UK and the US. (UN Doc. S/2827, 8 January 1953).

13. Members of UNCURK: Australia, Chile, the Netherlands, Pakistan, the Philippines, Thailand and Turkey.

- (ii) observe the actual withdrawal of the occupation forces and verify the fact of withdrawal when such has occurred; and for this purpose, if it so desires, request the assistance of military experts of the two occupying Powers".

As the objectives of the Commission (UNCOK-I) could not be fully attained, the General Assembly on 21 October 1949 established another Commission (UNCOK-II)* with the following objectives:

- (i) "to observe and report any developments which might lead to or otherwise involve military conflicts in Korea;
- (ii) to be available for observation and consultation throughout Korea in the continuing development of representative Government based on the freely expressed will of the people, including elections of national scope".

This Commission also could do very little in the unification of Korea. The aggression which followed in 1950 signified the complete failure of the United Nations' attempt to achieve unity in Korea by peaceful means.

(B) United Nations Military Operation in Korea

On 25 June 1950, the USA informed the Secretary General that the North Korean forces had invaded the territory of the Republic at several points in the early morning of that day, and requested an immediate meeting of the Security Council. This was confirmed by a report from the UN Commission in Korea that the North Korean regime had launched a full-scale invasion of South Korea; and that the South Koreans were on the defensive in all sectors of parallel 38.

Since this military action was a direct violation of the pre-

8. UNGA Res. 195 (III), 12 December, 1948.

9. Members of UNCOK-II are: Australia, China, El Salvador, France, India, the Philippines and Turkey.

10. UNGA Res. 293(IV), 21 October, 1949.

isolation because Korea was, in a very important sense, the cross-roads of Asia.¹⁴ Apart from its strategical importance, Korea has very many things in common with its neighbours. For instance significant elements of a broad cultural and philosophical character; in the words of Mr. K. P. S. Menon, the Indian delegate and chairman of UNTCOK, "between India, Korea and China there is a spiritual bond, for it was from India that Buddhism travelled across the roof of the world".¹⁵

India strongly insisted that the Korean crisis was an Asiatic problem and should be solved by Asiatics as they are in the best position to understand the whole issue.

Moreover, India's political and geographical importance in Asia leads it to play an active role in this issue. Politically speaking there were three big powers in Asia: Japan, the People's Republic of China and India; but Japan aligned with the United States of America and China with the USSR, India with its policy of non-alignment remained the only country which could hold the balance of power there. Therefore, the Korean question was not an isolated phenomenon but fell within the broader context of the general foreign policy of India.

In the Korean issue India wished to play a mediatory role between two Big Powers, not to take a leading role or seek authority in Asia or elsewhere. However, "we are compelled by circumstances to play our part in Asia and in the world, because we are convinced that unless these basic problems of Asia are solved there can be no world peace" (Nehru).¹⁶

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politicians, the press and public opinion are all included in the discussion of India's policy in the Korean crisis. Therefore, separate sections are not devoted to each of them. This foot-note also applies to our way of treating the Middle East, Cyprus and West Irian operations.

18. Oliver, *op. cit.*, p. 28.

19. Quoted in Dayal Shiv: *India's Role in the Korean Question—a study in the Settlement of International Disputes under the UN* (Delhi: S. Chand & Co., 1959), p. 46.

20. *Jawaharlal Nehru's Speeches, 1949-1953*, Vol. III, *op. cit.*, p. 129.

On 27 July 1953 the Armistice Agreement was signed.¹⁴ Under its terms the Korean question was to be settled by negotiation between the parties concerned, which was to take place at a political conference. A political conference was supposed to take place, including all members contributing armed forces under the 'Unified Command'; but refusal of the Assembly's proposal on the part of North Korea and the People's Republic of China, caused its failure.¹⁵

In order to facilitate the repatriation of all prisoners-of-war, an agreement which was later incorporated in the Armistice Agreement, provided for the establishment of a Neutral Nations Repatriation Commission.¹⁶ The aim of NNRC was to assume custody of those prisoners who initially declined to be repatriated; and the Commission was also to provide humanitarian services.

The UN Korean Reconstruction Agency was also formed to help the Republic of Korea and its people towards the restoration of their 'war-wrecked economy'.

In spite of all the continuous efforts of the United Nations, Korea is still divided. One may even question whether the country's unification concerns the United Nations at all. If Korea is ever to be unified, should not the unification be left to the Korean people themselves?

III. *India's Policy*¹⁷

(A) *'Asia for Asiatics'*

For Asians the Korean problem could not be considered in

14. The Armistice is a 'positive' commitment to a peaceful settlement. Prior to this, there is the cease-fire which is the first step from war to peace, it consists of the transition from the fighting to the non-fighting stage. The Truce differs from the cease-fire in that it involves a number of conditions which must be fulfilled for the supervision of military action to be possible. (Mohn, P.: "Problems of Truce Supervision", *Inter-National Conciliation*, February, 1952, p. 53).

15. *Everyman's United Nations XX* (New York: UN Publications, 1968), p. 13.

16. Members are: Czechoslovakia, India, Poland, Sweden and Switzerland.

17. The views of Indian Government authorities, parliamentarians,
(Continued on next page)

- (iv) That the national Government, immediately upon its formation, constitute its own national security forces and dissolve all military and semi-military formations not included therein, and,
- (v) That a definite time limit be fixed, for the withdrawal of the occupation forces".²³

After the elections, India insisted that efforts be made to further the unification of South and North Korea. M. C. Setalvad, an eminent Indian Scholar, argued that reconciliation between South and North was important and attempts should be made to attain it by all means. He made the following suggestions:

- (i) Independence throughout the whole of Korea be achieved with the least possible delay;
- (ii) Independence be granted to Korea as an integral unit and the Assembly should not approve of any arrangements which might weaken the prospect of realizing that aim; and
- (iii) The Assembly should lend the fullest support to ensure that every effort be made for conciliation between the peoples of the two zones."

(ii) After 1950

1. The Aggressor

On 25 June 1950, armed conflict broke out between South and North Korea. According to the Government of India, North Korea was the aggressor. A statement of the Government of India fully clarifies its position: "The Government of India have viewed with grave concern the developments in Korea involving, as they do, not only civil war, but also a threat to world peace. There have been a number of border incidents between North and South Korea in the past, but whatever the nature of these might have been it appears clear from the in-

23. Dayal, *op. cit.*, p. 40.

24. *Ibid.*, p. 59.

(B) *India's Position in the United Nations*(i) *Before 1950*

India was one of the countries which were strongly in favour of the inclusion of the Korean issue on the agenda of the United Nations, in spite of the refusal of the Communist countries on the grounds that the United Nations has no right to take the matter up because in their opinion the United Nations exists to deal with questions which arise after war, and not during war.²¹

When the Korean elections were discussed in the United Nations, India insisted on elections all over Korea instead of in the South only, because it believed that a real national Government could not possibly be created by having elections only in the South. K. P. S. Menon said: "I have grave doubts as to whether the national Government which may emerge out of these elections will be really national. I have grave doubts whether we can insure a free atmosphere for the elections. . . . I may say that the attitude of my Government is that we must try to implement the resolutions of the General Assembly whenever and to the extent that circumstances permit".²² But later, since there was no other way, India also favoured elections in the South only, provided that the door to future unification be left open and that efforts to achieve unity by consultation between North and South should be encouraged. With this in mind the Government of India made certain suggestions for elections:

- "(i) That a general election be held not on a zonal basis but under the supervision and control of the UN Temporary Commission.
- (ii) That the election be held on the basis of adult suffrage without any political discrimination and by secret ballot.
- (iii) That the Korean Assembly meet immediately after it had been elected to form a national Government.

21. Gordenker, *op. cit.*, p. 15.

22. Quoted in Gordenker, *op. cit.*, p. 82.

India was against using military force in Korea, for it firmly wished for negotiations and believed that a peaceful settlement should have been attempted. Here we find the clear difference of view-point concerning the Korean question between Westerners and Asiatics. That is why Prime Minister Nehru once stated in Parliament that India was in a position to throw light on Asiatic problems whereas the Western world approaches were lacking in subtlety."

By September 1950 one noted that the Korean war had taken a turn in favour of the United Nations. The Indian Government was opposed to the United Nations' crossing of the 38th parallel. Its general line was that the UN Force enter Korea in defence of South Korea and not for the subjugation of North Korea. Prime Minister Nehru warned the United Nations that "we are of the opinion that every effort should be made to bring the Korean war to a conclusion and that it would be wrong to carry out military operations, when peaceful methods can bring about the necessary result".³⁰ This observation was partly a result of the declaration made by Mr. Chou-en-Lai on 30 September, that China would not stand aside if the United Nations Force were to cross the 38th parallel, and this crossing could quite possibly lead to an extension of the conflict.³¹ The Indian representative to the United Nations, Sir B. N. Ran, also expressed the same sentiment.

3. *The People's Republic of China — UN Membership*

The Government of India believes that a satisfactory settlement of the Far Eastern conflict can only be achieved by an agreement of the major parties concerned. It was of the opinion that for a speedy solution to the Korean issue, it was of the greatest importance that the representative of the People's Government of China should take a seat in the Council,

30. Watson, A.: "India and Korea", *The Nineteenth Century and After*, Vol. 143, July-December 1950, p. 153.

31. *Nehru's Press Conference, 1950*, Government of India Publications, New Delhi, pp. 178-179.

32. Goodrich, L. M.: "UN and Korea", *India Quarterly*, No. 7, July-September, 1951, p. 265.

formation available to the Government of India that a large scale invasion of South Korea took place by armed forces of the North Korea Government".²⁵ When therefore this matter came up before the Security Council of the United Nations the Government of India did not hesitate to describe it as aggression.²⁶ But since India was opposed to putting an end to aggression by military means, the statement goes on: "The Government of India earnestly hopes that even at this stage it may be possible to put an end to the fighting and to settle the dispute by mediation".²⁷

2. *India's Attitude to the UN Force in Korea*

After the resolution of the Security Council a UN Force was established for a peace settlement in Korea. India did not wish to participate in this UN military force; for its purpose was to localize the conflict and facilitate a peaceful settlement by breaking the existing dead-lock in the Security Council. From the outset, India wanted a seat in the Council for the representative of the People's Government of China so that the Union of Soviet Socialist Republics would return to it,²⁸ and so that either within the Council or through informal contacts outside it, the USA, the USSR, and China with the help and co-operation of other peace-loving nations, could find a basis for terminating the conflict and for a permanent solution of the Korean problem.²⁹

25. UN Doc. S/1520, 29 June 1950.

26. However, according to some Indian statesmen neither North Korea nor S. Korea committed aggression. For instance, Mr. V. K. Krishna Menon said: "In my view neither North nor South Korea committed aggression as Korea was one country, they were both moving into each other in the sense that neither of them regarded the other as a separate country. The UN which at that time was the United States caught North Korea at that time when these fellows went to South...." (Brecher, *India and World Politics*, op. cit., p. 34). Others (mostly Indian Communist Party members) openly claimed that "The United States wanted to occupy the whole of Korea through S. Korean puppets. So the USA is responsible for this aggression." (*The Daily Worker*, 21 July 1950).

27. UN Doc. S/1520, 29 June 1950.

28. The Soviet Union boycotted the Security Council from January to August, 1950 as a protest against the continued representation of China in the United Nations by its Nationalist Government.

29. *UN Bulletin*, Vol. IX, No. 3, August 1, 1950.

India was against condemning China as an aggressor because it was aware of resulting consequences to world peace. There are two particular reasons why it did not wish to call China an aggressor over the Korean issue:

1. The genuine concern for peace; for initially India supported the United Nations military action, but when the United Nations troops had serious set-backs following the Chinese intervention, India concentrated all its efforts on peace-making.

2. It also showed its self-interest. It feared that its support for such a resolution³⁸ could only serve to antagonize China, particularly in view of the strain which the Chinese seizure of Tibet had already placed upon Sino-Indian relations.³⁹

There was strong reaction in India against China "the Aggressor". India regarded the North Korean attack upon South Korea not as an isolated case of aggression but as a part of overall Far Eastern problems. It considered that the question of Chinese representation in the United Nations and the status of Formosa was clearly connected with the Korean problem. The Indian delegate, Mr. B. N. Rau, had declared that to brand the Central People's Government of China as an aggressor would serve no purpose. It would not help in the solution of the problems in the Far East but might even prevent solution. It would only serve to make negotiation impossible and increase tension.⁴⁰ On the same theme a group of Indian University and College teachers regretted that the United Nations which was established for the purpose of achieving world peace, should have acted in a manner that was hostile to peace.... (and) that this resolution would have frustrated the successful conclusion of negotiations for peace initiated by their Prime Minister and their

38. On 1 February 1951 the General Assembly adopted the Resolution 498 (V) which stated, "the Central People's Government of the People's Republic of China by giving direct aid and assistance to those who were already committing aggression in Korea and by engaging in hostilities against the United Nations Force there, has itself engaged in aggression in Korea."

39. Steinberg, B. S.: "The Korean War; a case study in Indian Neutralism", *Orbis*, Winter 1965, p. 943.

40. UN Doc. A/C. I/BR. 428. 20 January 1951, Para. 71.

for it, and not Formosa, represents the will of the Chinese people.

Since the Government of India recognized the People's Government of China on December 30, 1949, it has endeavoured to bring about the admission of its representatives to the various Organs and Agencies of the United Nations.³³ India believes that it is obvious that the new Power in Peking is stable, and this should be recognized as a fact.... a fact does not cease to be a fact because some people refuse to recognize it as such.³⁴ Prime Minister Nehru has made his views quite clear: "One of the basic criticisms which have been levelled against the politics of the United Nations is the admission of China. Can anybody say that the present Government of the Island of Formosa represents China?"³⁵ He insists that the basic principle of universality has been abandoned by the United Nations and says if China is not recognized in the world, she could easily declare "well yon (United Nations) do not recognize us; we are not there, we are not part of it; how can we recognize your directions".³⁶ As against the Western conviction that China is a Communist country and hence a threat to world peace etc., and therefore not fit to be in the United Nations, India instead believed that war is a much greater threat to it than is Communism.³⁷

Since India was the only country besides the countries of the Soviet group which was in a position to find out through its embassy in Peking what the reaction of the Chinese Government was to the developing events, it could understand why China wished to intervene in the Korean conflict. In the past, Korea had often been the road for the invasion of China and so China, naturally, was extremely sensitive about this area which the crossing of the 38th parallel might endanger.

33. *The Manchester Guardian*, 20 July 1950.

34. *The Christian Monitor*, 18 January 1951.

35. *Jawaharlal Nehru's Speeches, 1953-1957*, Vol. III *op. cit.*, p. 242.

36. Report of Ministry of External Affairs, 1954-1955, p. 43.

37. *The New York Times*, 1 January 1951.

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39. Steinberg, B. S.: "The Korean War; a case study in Indian Neutrality", *Orbis*, Winter 1965, p. 942.

40. UN Doc. A/C. 1/SR. 423. 20 Janv / Para. 71.

delegate to the United Nations General Assembly."

Thus India was always of the opinion that the Korean problem could be solved only through China's co-operation, it being impossible "without the acquiescence if not the active co-operation of China".⁴¹ This is the major reason why it insisted that China be represented at the United Nations.

4. *American Imperialism in Korea*

In the course of the United Nations military intervention in Korea, "India began to see the Korean war less and less as a vital demonstration of Collective Security, and more and more as an American-Kuomintang threat to re-open the Chinese Civil War, and to resettle one of the greater stakes in the great power rivalry".⁴² It was the United States' decision to go to the aid of the Republic of Korea which eventually transformed the Korean crisis from a local conflict to a major international issue. This provoked severe and widespread popular criticism in Asia, which nevertheless supported the United Nations action even though doubtful of the 'bona fides' of the United States' intervention in Korea.

India regretted the United States' bombing in Korea and expressed:

- (i) its abhorrence of the involvement of Asians in what India considered essentially a quarrel between the United States and the Soviet Union;
- (ii) the inability of the Indians to feel the same urgency in a struggle against world Communist movement as does the United States."

The American attitude in this issue according to Indian public opinion was that:

- (i) Before there can be any discussion of Korea, there

41. *The Statesman*, 4 February 1951.

42. *Jawaharlal Nehru's Speeches, 1949-1955*, Vol. II, *op. cit.*, p. 253.

43. Steinberg, B., *op. cit.*, p. 958.

44. *The Daily Worker*, 14 July 1950.

must be a withdrawal of the Communist invaders beyond the 38th parallel in accordance with the Security Council resolution of 25 June 1950.

(ii) Till then, there can be no question of raising the issue of seating Chinese Communists on the Security Council.

(iii) The future of Korea must be left to the United Nations."

The extreme American attitude to the Korean crisis could be expressed by saying that at present there is only one thing to do and that is to win in Korea, and then to discuss the peace."

Anti-American movements were very active in India during the Korean war. One of the Indian weeklies noted: "It is a pity that America, with so much power for good and such wonderful resources for helping the Asian nations..... should by her crude methods alienate the sympathy of the very people she professes to help.....With China kept deliberately at arm's length and India remaining aloof, the vast bulk of the Asian people are no party to the peace that is now being fought out in Korea".

Indian public opinion was that American imperialism was mainly responsible for the precipitation of the crisis. Therefore, the open "aggression of the imperialists" in Korea and their atrocities were intolerable. They were not prepared to tolerate this perfidious aggression and these atrocities upon the Asian people in Korea by the American imperialists."

The Americans must stop the war in Korea or there is a possibility that this kind of thing would happen all over Asia. Therefore, their policy in Korea seemed so wrong, so confused and so dangerous that it would be incompatible with India's ideas of peace and freedom, to encourage it in any way."

45. *The Daily Telegraph*, 13 July 1950.

46. *Ibid.*

47. *Vigil*, 10 October 1950, p. 22.

48. *The Statesman*, 8 July 1950.

49. *The Daily Worker*, 22 May 1951.

Talking of the Korean crisis Sir C. F. Raman, a foremost Indian scientist, observed that "when I think of Korea and the great slaughter that is going on there, I feel that a great tragedy was brought about by the American intervention."¹⁰

5. *India's Suggestions*

Throughout the Korean conflict India wished and tried whole-heartedly for a peaceful settlement of the conflict. For an early formation of a free and united Korea, India took a very active part in the Assembly. India's suggestion to hold elections in the two zones under the supervision and direction of the United Nations Commission was taken into consideration by all the Member States. They also suggested the establishment of a Committee composed of six non-Permanent Members of the Council to consider all proposals for the peaceful settlement of the Korean conflict."

India's struggle was to bring the opposing sides together for negotiation rather than to support one side militarily. The first attempt was Prime Minister Nehru's letter written on 13 July 1950 to Joseph Stalin of the USSR and Dean Acheson of the USA. Prime Minister Nehru urged the United States and the Soviet Union to prevent the conflict from spreading and insisted on the admission of "Red China" to the United Nations.¹¹ At that time, Mr Nehru was alone in the world in requesting a speedy solution from both the United States and the USSR. Nehru had excellent relations with the Soviet Union in spite of his own clash with Indian Communists and he carried a great weight with American opinion even though he refused to jump on the 'cold war' band-wagon during his recent trip to Washington.....only Nehru stands any chance of stopping them." Knowing the whole situation on 15 July 1950, Prime Minister Nehru suggested:

- (i) North Korea shall withdraw to the 38th parallel;
-

- (ii) The Chinese Communist Government's representative shall be admitted to the Security Council, making it possible for the Soviet Union to return;
- (iii) The Council shall then try to find a solution for the whole Korean problem."

In this line Mr. Nehru proposed that the United Nations should then conduct democratic elections for a unified Korea. India further suggested that for a peaceful settlement the representative of the Democratic People's Republic of Korea be invited to participate in the discussion in the General Assembly. In this way it would be possible to persuade them to come to an agreement." India tried its best through its Ambassador, Mr. K. M. Pannikar to urge the Peking Government to bring the conflict to an end."

India also insisted on a cease-fire and armistice in Korea. As a first step to this India, together with other States of Asia, introduced a 13 power" draft resolution,

"The General Assembly,
Viewing with grave concern the situation in the Far East,
Anxious that immediate steps be taken to prevent the conflict in Korea spreading to other areas and to put an end to the fighting in Korea itself and that further steps should be taken for a peaceful settlements of existing issues in accordance with the purposes and principles of the United Nations,
Requests the President of the General Assembly to constitute a group of three persons including himself to determine the basis on which a satisfactory cease-fire in Korea can be arranged and to make recommendation to the General Assembly as soon as possible".

The problem of prisoners-of-war and their repatriation re-

54. *The Daily Herald*, 15 July 1950.

55. *Foreign Affairs Records*, Vol. VII, No. 12, December 1961, p. 470.

56. *The Statesman*, 14 July 1950.

57. India, Afghanistan, Burma, Egypt, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen.

58. UN Doc. A/C.1/641, 12 December 1950. It was adopted by the General Assembly on 14th December 1950. Resolution 351 (V).

mained to be solved in Korea. The Indians had proposed a compromise resolution to deal with this question and the Assembly accepted it, in General Assembly Resolution, 610 (VII), on 3 December 1952:

- (i) The release and repatriation of prisoners-of-war shall be effected in accordance with the "Geneva Convention relative to the treatment of Prisoners-of-War" dated 12 August, 1949, the well established principles and practices of international law and the relative provisions of the draft Armistice Agreement;
- (ii) Force shall not be used against the prisoners-of-war to prevent or effect their return to their homelands. . . . Prisoners-of-war shall be treated in accordance with the general spirit of the Convention.

To implement these provisions, India proposed the establishment of a Neutral Nations Repatriation Commission.* This was followed by the establishment of the Custodial Force, India (CFI), to take care of the repatriation of prisoners. The South Koreans doubted India's impartiality in these matters, and President Syngman Rhee insisted that no Indian troops set foot on South Korea. The Koreans even claimed that India was "pro-Communist". When Anti-Indian propaganda reached a pitch, India requested the United Nations to intervene to stop these allegations. On principle the Government of India wished to be strictly neutral and never wished to interfere or influence in any way. This was the main reason why it was even reluctant to accept the chairmanship of the NNRC, for, it was a delicate and difficult position to be in between the United States and the USSR, Communist China and Dr. Rhee's South Korea.

the General Assembly it did not get the necessary two-thirds majority because the United States with 19 Latin American States blocked the proposal put forward. Regret was expressed at the attitude of the US and S. Korea. It was stated that the whole world knows that India is neutral to the belligerent sides in Korea. In bringing about the termination of the Korean war and in settling the prisoners-of-war question, India has made and will continue to make an important contribution. If India be invited to participate in the political conference she will definitely play a positive role."

The Korean conflict showed an Indian foreign policy which was active and effective in the search for a peaceful settlement of a major conflict. "Here was Korea dead-locked, no settlement taking place", says V. K. Krishna Menon, "we seemed more or less pitch-forked into a very important controversy around the area at that time.... India emerged as somebody in the United Nations".⁶⁰ The *Manchester Guardian* of July 29, 1953 hears this out when it reported, "Wasn't it India, after all, that provided the solution to the prisoners-of-war dead-lock, wasn't it India that sounded the alarm before the crossing of the 38th parallel, wasn't it India who provided troops during the truce-peace gap?" Further, Nehru in the Lok Sabha (House of People) on 24 December 1953 clearly showed the importance of India's role in Korea: "we went to Korea because, if we had not gone, there would have been no truce and no cease-fire and the war would have gone on, with the danger of its expansion..... I am not claiming any virtue for India. But it is a factual statement that no other country was willing to fill that particular (peace-truce) gap". If that gap was not filled, "then the cease-fire would not have taken place and that terrible war would have gone on.....".⁶¹

(C) India's Involvement

Apart from India's active political participation since the

60. UN Doc. A/2469, 13 September 1953, p. 4.

61. Brecher, *India and World Politics*, op. cit., p. 40.

62. *Jawaharlal Nehru's Speeches, 1953-1957*, Vol. III, op. cit., p. 244.

Korean question was laid down in the United Nations, India was also one of the Member States asked to provide fighting troops for the Korean conflict in 1950. But India could not send out any force on this occasion for a variety of reasons:

- (i) India did not wish to become involved in a major war abroad because it went against its entire political philosophy which was that troops should not be sent out for fighting purposes.⁶³
- (ii) Indian forces "are designed for home defence, and our internal needs at present are such that we cannot afford to send any of those forces to remote areas outside India" (B. N. Rau).⁶⁴
- (iii) India was not sure how the Korean war might develop in the future. A token force could have been sent to Korea, but was not, because it might have embarrassed India and limited its effectiveness in future attempts for a political settlement.
- (iv) India was suspicious of any interference by Western Powers in the affairs of the East, since this runs counter to the conception of 'Asia for the Asiatics'. Thus India wished rather to be isolated than enter into any big bloc.⁶⁵ Moreover the United Nations' military action in Korea did not go as India wished. It was practically conducted by the United States of America as a part of the 'Cold War'.⁶⁶
- (v) It is strongly believed that India did not send its force, because its major aim was to play a mediatory role in the Korean affair which would have been difficult were its own army to be involved.

Although it refused to associate itself militarily with the

63. Brecher, *India and World Politics*, op. cit., pp. 35-36.

64. Indian Delegate in SC, SCOR, S/PV. 478, July 28, 1950, pp. 6-7.

65. Watson, op. cit., p. 157.

66. Swadesh Mehta: *India's Attitude towards Collective Security System, under the United Nations, 1947-1962* (New Delhi: unpublished Ph.D. Dissertation, S.I.S., Delhi), p. 97.

Unified Command, it did send a field ambulance unit which consisted of 17 Officers, 9 Junior Commissioned Officers and 300 Other Ranks and a small surgical unit commanded by Lt. Col. A. G. Ranga Raj.⁶⁷

Under the cease-fire and prisoners-of-war agreement, India was appointed the Chairman and the Executive Agent of the five-nation commission (NNRC). It was the umpire, in accordance with the provisions of Art. 132 of the Geneva Convention, and was also required to provide the armed force and other personnel to assist the Commission in the discharge of its duties. The Commission constituted itself on 3 September 1953. The honour of being its Chairman and Executive Agent went to Lt. Gen. K. S. Thimayya.⁶⁸ The Indian camp which housed the Indian delegation of the NNRC was named 'Shanti Nagar', i.e., peace city, by Gen. Thimayya, to symbolize India's desire for peace and its role in the NNRC.⁶⁹

To repatriate the prisoners-of-war an Indian Custodial Force was formed of the 19th Brigade, consisting of 5 Battalions, with a detachment of the Mahar Regiment and Signal Engineers and Medical Units.

The Indian contingent⁷⁰ commanded by Maj. Gen. S. P. P.

67. UNYB, 1950, p. 227.

68. General Kodendra Subayya Thimayya born on 31 March 1906, Coorg, India; educated at Prince of Wales Royal Indian Military College, Dehra Dun, and Royal Military College, England; Commissioned in the Indian Army in 1926; Commander 36th Infantry Brigade, Burma 1945; Represented Indian Army at the Japanese surrender, Singapore 1945; a member of the Indian Armed Forces Nationalisation Committee 1945; a member of the Indian Army in Kashmir 1948-50; Military adviser, India 1947; Commanded Indian troops in Kashmir 1948-50; Chairman of Neutral Nations Repatriation Commission in Korea 1953-54; Chief of the Army in 1957; (Asia Who's Who, 1958, Hongkong: Pan-Asia Newspaper Alliance, 1958). Resigned from army in 1961; July 1964, appointed Commander-in-Chief of United Nations Cyprus Force; 18 December 1965, killed while on duty in Cyprus.

69. *The Hindustan Times*, 14 October, 1953.

70. A total of 6,112 officers and men served in Korea between August 1953 and March 1954. Of these 331 formed a field ambulance unit under the UN Command, 232 served as the NNRC which was responsible for the disposition of the prisoners-of-war and 5,549 officers and men participated in the Indian Custodial Force which took custody of the prisoners-of-war and acted as the executive agents of the repatriation commission. (*Lot Sabha Debates*, Vol. LIV, April 1961, Col. 93).

Thorat, established itself on the narrow strip of the demilitarized zone on either side of the 38th parallel. The camping ground of the contingent was named 'Hind Nagar' (Indian City). After completing the preliminary arrangements which included the setting up a wireless link with New Delhi, the contingent settled down to its business. The Custodial Force took charge of 22,600 UN command prisoners (14,700 Chinese and 7,900 North Koreans) and 360 Korean People's Army (KPA) and Chinese People's Volunteers (CPV) command prisoners (including 325 South Koreans and 23 Americans) pending their disposal by the Commission. The Army Medical Unit, 60 field ambulances, 26 General Hospitals and 7 field Hygiene sections attended to the medical needs of the prisoners. The Indian Red Cross made every endeavour to make the stay of the prisoners in the camps comfortable."

Lack of agreement between the two commands on the extension of the explanation period, disposition of non-repatriable prisoners, continuance of NNRC and Custodial Force and on the interpretation of practically every paragraph of the Terms of Reference incapacitated the Commission from proceeding with its task as designed." "The NNRC was not firm. The Americans kept trying to break it, but by and large it functioned. Ultimately, it did not complete its task" (V. K. Menon). Of course, this did not mean that NNRC and CFI did not deserve to be congratulated for their service. President Eisenhower himself in a message to Mr. Nehru expressed his tribute: "No military unit in recent years has undertaken a more delicate and demanding peacetime mission than that faced by the Indian forces in Korea"."

Conclusion

It was at the beginning of India's independence that the

71. *Indian Armed Force Year Book* (Delhi), 1960-61, p. 888.

72. Dayal, *op. cit.*, p. 257. terms of Reference see UN Doc. S/3079, 7 August 1953.

73. Brecher, *India and World Politics*, *op. cit.*, pp. 41-42.

74. Quoted in Dayal, *op. cit.*, p. 196.

Korean issue was first discussed in the United Nations. It was in effect the 'baptism of fire' of the World Organization.

The United Nations action in Korea comes under two heads:

(i) Attempts for a peaceful adjustment of the situation.

(ii) Enforcement action.

During the first phase the General Assembly established a United Nations Commission to make use of its good offices to bring about the unification of Korea and to observe and verify the withdrawal of the occupying forces; and during the second phase, enforcement action has taken place in the Korean war. But India felt from the very beginning that a military solution to Korea would not be advisable for the reasons we have already explained.

As long as the 'Cold War' continued the Security Council did not find it easy to discharge its duties in the maintenance of international peace and security according to the Charter. But the Korean experience showed that there were Charter provisions for 'Uniting for Peace' resolutions. India abstained from voting on those as they appeared to be an instrument in the hands of Big Power Blocs and their allies to force decisions. Thus it by-passed to some extent the Veto provisions in the Charter. It prepared the way for the General Assembly to step into the breach.

India's Korean policy was based on the premises, firstly, that North Korea was the aggressor, secondly, that the Korean conflict must be localized, thirdly, that ways and means must be found to end the war at the earliest possible moment; and finally, that the future of Korea must be decided by Koreans themselves."

The various efforts of India to localize the Korean conflict took the form of personal appeals to Marshal Stalin and Dean

75. Kondapi, C.: "Indian Opinion of the United Nations", *International Organization*, Vol. V, November 1951, p. 718.

Acheson from Mr. Nehru, disapproval of the crossing by the United Nations Forces of the 38th parallel in Korea, opposition to Communist China being branded as an aggressor in Korea, efforts to get classification of the stand taken by the People's Republic of China with regard to the negotiation of a cease-fire in Korea and a compromise plan to solve the dead-locked prisoners-of-war issue."

After 20 years of discussion in the United Nations, the Korean settlement is still far off. In this perspective, one is tempted to ask whether a conciliator, mediator or representative could have acted better and quicker than a commission for a final solution. Various suggestions have been put forward; some of the UN Member States are in favour of the removal of troops from Korea, others, to remove the Korean problem from the UN Assembly Agenda. Some are under the impression that the country's unification is an internal affair of the Korean people and that, therefore, the Big Powers should not intervene; others even think that Big Power politics were the major reason for the Korean issue."

It is not clear whether the aim of the UN action in Korea is legitimate defence or Collective Security. Although nominally, it was an action which originated in a resolution of the Security Council and was in the nature of an enforcement action under chapter VII of the Charter, what is clear is that this action weakened the effectiveness of UN collective measures.

However, there is no doubt of the effectiveness and importance of the role played by India in Korea, and Nehru's words "whatever may happen to-day or in the near future with regard to Korea, we may feel in all humility that we used our endeavours in helping to bring hostilities to an end....," will be recognized as a just comment by those nations involved in the whole affair, and not just an expression of nationalistic chauvinism.

76. Govinda Raj, *op. cit.*, p. 254.

77. *UN Monthly Chronicle*, Vol. VI, No. 1, January 1969, pp. 71-79.

78. Quoted in Rajan, *India in World Affairs*, *op. cit.*, p. 114.

CHAPTER IV

India and the United Nations Peace-Keeping Operations in the Middle East

I. *UN Truce Supervision Organization (UNTSO) and India*

(A) *UNTSO*

Jews and Arabs had lived together in Palestine¹ in comparative peace before World War I. Since then, particularly after World War II, the intense conflict between the Arabs and Jews continuously disturbed the peace of the country and raised many problems concerning the future of Palestine.

Both the Mandate² and the Balfour declaration³ referred

1. Palestine an area of 27,090 sq. km., population 1,912,110 (1946) of whom 1,143,330 were Muslims, 607,330 Jews, 145,066 Christians and 15,490 classified as of no religion (Keisings Contemporary Archives 1946-48, Col. 8682).

2. The League of Nations had conferred on Britain a mandate over Palestine. Article 2: "The mandatory shall be responsible for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish national home, as laid down in the preamble, and the development of self governing institutions and also for safeguarding the civil and religious rights of all inhabitants of Palestine, irrespective of race and religion...". (Leonard Larry: "The United Nations and Palestine", *International Conciliation*, No. 454, October 1949, pp. 745-746).

3. A. J. Balfour, then British Foreign Secretary on 2 November 1919 declared: "His Majesty's Government views with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object. It being closely understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine or the rights and political status enjoyed by Jews in any other country". (Leonard Larry, *op. cit.*, p. 744).

to the term of 'national home' for the Jewish people, but obviously the Arabs put pressure on the immigration of Jews.

After having tried its best to find a settlement for the Palestine question the United Kingdom finally brought the matter to the attention of the United Nations in the hope that they could succeed where it could not. The United Nations after having considered the issue established a Special Committee on Palestine (UNSCOP), "to ascertain and record facts and to investigate all questions and issues relevant to the problem of Palestine".⁴

The subsequent report of the Committee contained two proposals, one a majority plan recommended by the representatives of Canada, Czechoslovakia, Guatemala, the Netherlands, Peru, Sweden and Uruguay, which proposed that Palestine should be divided into an Arab State, a Jewish State and the City of Jerusalem.⁵ The representatives of India, Iran and Yugoslavia proposed a minority plan which suggested that 'an independent Federal State of Palestine should be created', this state would comprise an Arab state and a Jewish state, and Jerusalem would be its capital. There would thus be a single Palestinian nationality and citizenship.⁶ On November 27, 1947 the General Assembly adopted a resolution on the majority proposal, i.e., on the termination of the British mandate, the internationalization of Jerusalem and on the future Government of Palestine.

The resolution established a United Nations Palestine Commission of five Member States (Bolivia, Czechoslovakia, Denmark, Panama, the Philippines) to supervise the putting into effect of this plan.⁷ As violence and disorder were increasing in the country, a Truce Commission composed of represen-

4. UNGA Res. 106 (S-I), 15 May 1947. The members of UNSCOP were: Australia, Canada, Czechoslovakia, Guatemala, India, Iran, the Netherlands, Peru, Sweden, Uruguay and Yugoslavia.

5. *UNYB*, 1946-1947, p. 230.

6. *Ibid.*

7. UNGA Res. 181 (II), 29 November 1947.

tatives of those members of the Security Council which have Consular Offices in Jerusalem was established on 24 February 1948. Thus Belgium, France and the U.S. (Syria being exempted as it was directly involved in the issue) formed the UN Truce Commission.

In an effort to achieve a political solution acceptable to Arabs and Jews the General Assembly on 27 May 1948 appointed a UN Mediator, Count Folke Bernadotte of Sweden, in Palestine to use his good offices with the local and community authorities in Palestine for a political settlement of this difficult problem.

The importance of a mediator became increasingly clear as the conflict grew in intensity when the Jewish Agency accepted the partition plan and insisted upon the implementation of the plan without modification. Whereas the Arab High Committee rejected any solution on partition and insisted that the only acceptable solution was the formation of one independent state for the whole of Palestine.⁸

On 15 May 1948, Israel was declared an independent state on the day of British withdrawal from the mandate. This complicated the already violent situation. The armed forces of Egypt, Iraq, Transjordan, Syria and Lebanon crossed the frontier and violent fighting broke out. As a result, both the Mediator and the Truce Commission needed military observer personnel if they were to fulfil their task. This was the birth of UNTSO.⁹

The main function of UNTSO could be summarised under two headings: the first was observing and maintaining the cease-fire ordered by the Security Council on 15 July 1948. The second was assisting the parties to the armistice agreements in the supervision of the application and observance of the terms of those agreements.¹⁰ After the Israel entry into Egypt-

8. Leonard Larry, *op. cit.*, p. 694.

9. UNSC Res. 50, 29 May 1948.

10. Higgins, R.: *United Nations Peace-Keeping 1945-1967*; 1 The Middle East (London: Oxford University Press, 1963), p. 30.

to the term of 'national home' for the Jewish people, but obviously the Arabs put pressure on the immigration of Jews.

After having tried its best to find a settlement for the Palestine question the United Kingdom finally brought the matter to the attention of the United Nations in the hope that they could succeed where it could not. The United Nations after having considered the issue established a Special Committee on Palestine (UNSCOP), "to ascertain and record facts and to investigate all questions and issues relevant to the problem of Palestine".⁴

The subsequent report of the Committee contained two proposals, one a majority plan recommended by the representatives of Canada, Czechoslovakia, Guatemala, the Netherlands, Peru, Sweden and Uruguay, which proposed that Palestine should be divided into an Arab State, a Jewish State and the City of Jerusalem.⁵ The representatives of India, Iran and Yugoslavia proposed a minority plan which suggested that 'an independent Federal State of Palestine should be created', this state would comprise an Arab state and a Jewish state, and Jerusalem would be its capital. There would thus be a single Palestinian nationality and citizenship.⁶ On November 27, 1947 the General Assembly adopted a resolution on the majority proposal, i.e., on the termination of the British mandate, the internationalization of Jerusalem and on the future Government of Palestine.

The resolution established a United Nations Palestine Commission of five Member States (Bolivia, Czechoslovakia, Denmark, Panama, the Philippines) to supervise the putting into effect of this plan.⁷ As violence and disorder were increasing in the country, a Truce Commission composed of represen-

4. UNGA Res. 106 (S-I), 15 May 1947. The members of UNSCOP were: Australia, Canada, Czechoslovakia, Guatemala, India, Iran, the Netherlands, Peru, Sweden, Uruguay and Yugoslavia.

5. UNYB, 1946-1947, p. 230.

6. *Ibid.*

7. UNGA Res. 181 (II), 29 November 1947.

for attempting to set up a Jewish nation there. As far as he was concerned the Jews should stay where they were born." This was the attitude of most Indian statesmen. For instance, Nehru said, "we must remember that Palestine is essentially an Arab country and must remain so. The Arabs must not be crushed and suppressed in their own homeland".¹³ India could not understand the logic which argued that since many Jews were ill-treated in Europe, Palestine had to give them a home. For Indian statesmen the Jewish refugee problem should be completely separated from the Palestine problem.¹⁴

The Non-Aligned States' Conferences and Bandung Conference of Afro-Asians came out strongly in support of the rights of the Arab people of Palestine and their inalienable and just cause. Furthermore, the Conference of Non-Alignment in Cairo, 10 October 1964 condemned the imperialistic policy pursued in the Middle East, and, in conformity with the Charter of the United Nations, decided to:

- "(i) endorse the full restoration of all rights of the Arab people of Palestine to their homeland and their inalienable right to self-determination;
- (ii) declare their full support for the Arab people of Palestine in their struggle for liberation from colonialism and racialism".¹⁵

The Indian opinion is that the Zionist movement¹⁶ is an imperialistic movement. It is the Imperialists who created Israel as an enclave in the midst of the Arab nations. The fundamental struggle, therefore, in Palestine is not a struggle between Jews and Muslims, but against imperialism. In this

13. *Indian and Foreign Review*, Vol. VII, No. 5, December 1962, p. 18.

14. *Ibid.*

15. UN Doc., A/AC.14/SR.11, 11 October 1964.

16. *Foreign Policy of India, Texts of Documents, 1947-64* (New Delhi: Lok Sabha Secretariat, 1966), p. 603.

17. The Zionist movement was originated by Theodore Herzl of Vienna. First Zionist Congress met in Basel in August 1897. The objective was to create for the Jewish people a home in Palestine. (Leonard, Larry, *op. cit.*, p. 743.).

tian territory and the Anglo-French intervention of 1956, although UNEF was formed, UNTSO remained in existence to implement observation and supervise the armistice structure set up in 1949. After the Six Days' War, UNTSO had an observer-and-informative role. As soon as the fighting stopped, UNTSO contributed to ensuring the putting into effect of the cease-fire agreed upon, especially on the Jordanian and Syrian fronts. Thus UNTSO extended its operations in 1967 to:

- (i) provide information on the hostilities waged in the week beginning on the 5th of June;
- (ii) provide good offices to seek to contain those hostilities;
- (iii) map the agreed cease-fire position on the Syria-Israel front;
- (iv) carry out specific observer and communications functions in respect of the Syria-Israel cease-fire;
- (v) facilitate the exchange of prisoners-of-war;
- (vi) channel complaints about the treatment of civilians; and
- (vii) provide observers to supervise the cease-fire in the Suez Canal sector.¹¹

The purpose of the Truce was to prepare the way for a peaceful settlement. It was to cover a period during which constructive action was to be taken to convert a temporary Truce into a lasting settlement.

(B) *India's Policy*¹²

(i) *Palestine Belongs to the Arabs*

India's policy towards the Palestine issue was described by Indian leaders in 1947. Gandhi's view-point was that Palestine belonged to the Arabs alone and there was no justification

11. Higgins, *United Nations Peace-Keeping: the Middle East*, op cit., p. 59.

12. Refer to Foot-note 17, p. 46.

the Jews—as a matter of fact there were many Jews in India. What it disapproved of, was these measures by which the Middle East became a place of conflict and arms.”

The Government of India, therefore, proposed first a Federal State of Palestine, with naturally an Arab majority in charge of the Federal State, but when that failed, it proposed recognition of Palestine as an independent state with wide autonomy for the Jews in areas where they were in the majority.” Therefore, the majority plan for partition was not only not a fair and equitable solution of the problem, but it was bound eventually to lead to rivalries.

(iv) *The Existence of Israel is a Reality*

Once partition had taken place, the existence of Israel became a fact. The Government of India recognized Israel in September 1950, but did so ‘de facto’ and certainly not ‘de jure’, because: (a) Israel had followed a wrong policy against the Arabs, particularly against the Palestinians; (b) The criterion that religion could become the basis for nationality was unacceptable; (c) Zionism is considered a product of Western imperialism not a part of the general Asian liberation movement and under present political circumstances Israel has had to maintain close relations with certain European states.”

Moreover, according to some sources, the recognition of Israel was important if India were to play an intermediary role between Israel and other states. For India’s major thought on this issue was to avoid a big war. That is why its first political interest lay in the maintenance of peace in the Mediterranean and, therefore, in Palestine.

The road to a settlement in West Asia could only be found through reconciliation between Israel and Palestine. It would be India’s role to find out the ways and means by which this reconciliation could be achieved.

21. Setalvad, *op. cit.*, p. 120.

22. Jawaharlal Nehru’s *Speeches, 1946-1949*, Vol. I, *op. cit.*, p. 105.

23. *Foreign Affairs Records*, Vol. XV, No. 5, May 1969, p. 110.

way the Government of India was not against the Jews, but against Zionism as an ideology and as a colonial political movement."

(ii) *Foreigners should Withdraw*

Many saw in the Mandate system the germs of imperialism. It was typical of the League of Nations. India did not like this system. "Fresh territories", says Nehru, "taken from Germany and Turkey were awarded to the Allied Powers under the name of the 'mandates'.....It signified the continuation of the old imperialist exploitation under a pleasant name....".¹⁸ According to Indian statesmen, Britain which held the mandate over Palestine should have announced its intention of quitting Palestine at an early date. It would then have been for Arabs, Jews and the United Nations, if that body was still interested, to make up their minds.¹⁹ To this effect India thought that the Arabs and Jews should come together to solve their problem and not depend on British or American aid or rather, they should oppose any effort based on the strength of Britain and the United States, to take Palestine away from them.

India has always said that Palestine is essentially an Arab country and no decision can be made without the consent of the Arabs. They hope that if the third party withdraws from Palestine it might be easier for the parties concerned to settle their own problems themselves however difficult they might be.

(iii) *Partition is not a Fair and Equitable Solution*

India was of the opinion that, however necessary a homeland may be for the Jews, the United Nations should not have forced the partitioning of the country when the Arab majority was unwilling. This is not because India was not friendly to

18. *Foreign Affairs Report*, Vol. XV, No. 4, April 1966, p. 52.

19. Nehru, J.: *Glimpses of World History* (London: L. Drummond, 1945), p. 683.

20. *The Statesman*, 17 October 1947.

via's suggestion the matter was transferred to the General Assembly under the 'Uniting for Peace' resolution. The General Assembly adopted various resolutions during the month of November prior to organizing the United Nations Emergency Force. On November 2, 1956 the General Assembly adopted its first resolution:

"The General Assembly,

Noting the disregard on many occasions by parties to the Israel-Arab Armistice Agreements of 1949 of the terms of such agreements, and that the armed forces of Israel have penetrated deeply into Egyptian territory in violation of the General Armistice Agreement (GAA) between Egypt and Israel of 24 February 1949,

1. Urges the parties to the armistice agreements promptly to withdraw all forces behind the armistice line..."

This resolution would become effective on Canadian representative L. Pearson's resolution being adopted in which it was stated:

"as a matter of priority, the Secretary General submit to it within 48 hours a plan for the setting up, with the consent of the nation concerned, of an emergency international United Nations Force to secure and supervise cessation of hostilities in accordance with all the terms of the aforementioned resolution".

Further, resolution 999 (ES-I) authorized:

"the Secretary General immediately to arrange with the parties concerned for the implementation of military forces and arms into the area,.....".

Resolution 1000 (ES-I), however,

"Established a United Nations Command for an Emergency International Force to secure and supervise the

26. UNGA Res. 997 (ES-I), 2 November 1956.

27. UNGA Res. 998 (ES I), 4 November 1956.

28. UNGA Res. 999 (ES-I), 4 November 1956.

II. United Nations Emergency Force (UNEF) And India

(A) UNEF

By 1956 the situation in the Middle East was deteriorating. The armistice agreement between Israel and Egypt had been violated. President Nasser nationalized the Suez Canal which had been closed to Israel. He procured arms from the USSR through Czechoslovakia. Since the clash between Egypt and Israel was imminent, Great Britain and France asked for a United Nations meeting. The United Nations stated the following requirements for any settlement of the Suez question:

- (i) Free and open passage through the canal without discrimination,
- (ii) Respect for the sovereignty of Egypt,
- (iii) Insulation of the Canal from the politics of any country,
- (iv) The manner of fixing tolls and dues to be settled between Egypt and users,
- (v) A fair proportion of the dues to be allotted to development, and
- (vi) In the case of disputes, unresolved affairs between the Suez Canal Company and the Egyptian Government to be settled by arbitration.²⁴

In spite of all these measures, on 29 October 1956, Israel attacked Egypt, violating the armistice and crossing international frontiers. Israel defended its action as a security measure for the elimination of Egyptian Fedayeen bases in the Sinai Peninsula, and claimed that this action was self-defence under Article 51 of the United Nations Charter.²⁵ The United States asked the Security Council to take action against the breach of peace in the Middle East. No resolution was agreed upon since France and Great Britain used their veto. So on Yugosla-

24. UNYB, 1956, p. 23.

25. Higgins, *UN Peace-Keeping Operation: the Middle East*, op. cit., p. 226.

strip." Although the Secretary General replied positively that the Force would be withdrawn as the consent of the host country was needed for it to function, he warned: "irrespective of the reasons for the actions you (the Foreign Minister of Egypt) have taken,.....I believe that this force has been an important factor in maintaining relative quiet in the area of its deployment during the past ten years and that its withdrawal may have grave implications for peace".³⁴

The withdrawal of the Force was completed by 17 June 1967. At that time the UNEF numbered 3,378, although the peak of its strength was 6,073 in March, 1957. The total cost of UNEF amounted to US \$ 213 million. To examine the financial crisis which arose after this operation, a Committee was formed with Canada, Ceylon, Chile, India, El-Salvador, Liberia, Sweden, the Soviet Union and the United States.³⁵

(B) India's Policy"

(i) India-Middle East Relations

India and the Middle Eastern countries have much in common and thus have fraternal relations. Religiously, Islam keeps these two countries very close in mind. It is worth-while noting that although Muslims are a majority in the UAR, as in India the progress of secularism is remarkable.³⁶ Islam, therefore, which was associated with the most vital period of Arab renaissance and revolution, developed and constituted a living dimension of Indian culture and civilization, besides being the religion of a large number of the Indian people.

Politically, India and the Middle Eastern countries follow the policy of Non-Alignment. President Nasser and Prime Minister Nehru were two important advocates of this indepen-

34. UN Doc. A/6730, 26 June 1967.

35. UN Doc. A/6730, add 3, June 26, 1967.

36. Goodrich, L. M. and Bosner, G.: "The United Nations Emergency Force", *International Organization*, Vol. XI, No. 3, Summer 1957, p. 428.

38. *Indian Recorder and Digest*, Vol. II, No. 3, March 1965, p. 3.

37. Refer to Foot note 17, p. 46.

cessation of hostilities in accordance with all the terms of General Assembly Resolution 997 (ES-I) of 2 November 1956".²⁹

24 Member States offered forces to UNEF and 10 of them were accepted.³⁰ The General Assembly also established an Advisory Committee composed of Brazil, Canada, Ceylon, Colombia, India, Norway and Pakistan and requested this Committee to undertake the development of those aspects of the planning for the Force and its operation not already dealt with by the General Assembly and which did not fall within the area of the direct responsibility of the Chief of the Command.³¹

The mandate given to the UNEF was very comprehensive. It was to secure the cessation of hostilities and supervise the cease-fire; to ensure the orderly withdrawal of British, French and Israel forces; to patrol the border areas; and to oversee the observance of the Egypt-Israel armistice provision.³²

UNEF had remarkable success in maintaining stability in Israel-Egyptian relations, and for the duration of its stay in Egypt there can be no doubt it ranked among the most effective of all UN peace-keeping operations. The three main places where UNEF rendered its assistance were in the Suez area (until 22 December 1956 when the Anglo-French withdrawal took place), in the Sinai peninsula (after the Anglo-French withdrawal and the gradual one of Israel forces), and Gaza strip (on the withdrawal of Israeli troops, heavy local responsibility fell upon UNEF).³³

On May 18, 1967, the Secretary General was advised by the Egyptian Government that it had decided to terminate the presence of UNEF on the territory of the UAR and the Gaza

29. UNGA Res. 1000 (ES-I), 5 November 1956.

30. Sweden, Denmark, Finland, Norway, Indonesia, Colombia, India, Brazil, Canada and Yugoslavia.

31. UNGA Res. 1001 (ES-I), 7 November 1956.

32. Higgins, *UN Peace-Keeping 1946-1967*, I. *the Middle East*, op. cit., p. 456.

33. *Ibid.*, pp. 259-260.

Suez Canal was in Egypt and an integral part of Egypt, the sovereignty of Egypt was thus beyond question. So, according to the Government of India, "this ultimatum was a violation of the principles of the Charter and of international practice, an aggression against a sovereign nation and a threat to violate its territory".⁴² In view of the need to stop hostilities, India followed others in calling upon Israel immediately to withdraw all its forces behind the armistice lines established by the General Assembly on 24 February 1949; and also insisted on the United Kingdom and France immediately withdrawing all their forces from Egyptian territory.

(iii) *India's Involvement*

India welcomed the resolution establishing UNEF, because she thought that the United Nations had the right to use military force whenever and wherever needed. As this was a departure from previous practice, these kinds of operations should be encouraged in view of their possible future utility.⁴³

When the Indian Government was asked to contribute contingents to the UNEF, it accepted the request under certain conditions:

- (i) The Emergency Force was to be set up in the context of the withdrawal of Anglo-French forces from Egypt, and as the basis of the call to Israel to withdraw behind the armistice line;
- (ii) The Force was in no sense a successor to the invading Anglo-French forces, and in no sense would it take over their functions;

42. GAOR XI Session, 596th Plenary Meeting, 26 November 1956, paras. 49-50.

43. A United Command established under the Collective Security system in Korea largely differed from a United Nations Peace-Keeping Operation, for instance, UNEF:

- (1) While a United Command was essentially a combatant force, in UNEF the element of force was almost non-existent;
- (2) While UNEF was truly an international force, United Command was practically composed of United States troops; and
- (3) While United Command was to counteract aggression, UNEF needed the consent of the host country.

dent policy. Their faith in nationalism, opposition to colonialism and racialism and opposition to the Great Power military pacts and alliances and their support for each other in their common pursuit of world peace were major elements of their policy.

Economically, India had trade worth a hundred crores* of rupees with the Middle East, especially in imports of Egypt's cotton and Saudi Arabia's oil.³⁹ Moreover, India has 50,000 citizens residing there, engaged in gainful occupation and the professions. Therefore, it is obviously necessary that India should have a friendly Middle East both in its national interest and because it is a part of the world of great strategic importance.

(ii) *The Invasion of Egyptian Territory*

The invasion of Egypt from Israel in 1956 was a great shock to the Indian Government and to its people. Mr. V. K. Krishna Menon qualified this aggression as the battle against imperialism. And imperialism for him is a product of aggression.....and imperialism is continuing aggression. In such circumstances, as Nehru put it, when every United Nations Member should have tried to stop the invasion, Britain and France issued an ultimatum to Egypt.⁴⁰

This ultimatum clearly meant to give Israel 10 miles of Egyptian territory. It also meant foreign military occupation of a sovereign state. India reiterated the opinion that the

39. 1 Crore=10 Million Rupees.

40. India's trade with the Arab countries during 1968-1969: exports for a value of Rs. 1,085 million to the Arab countries, imports were of the order of Rs. 650 million leaving a trade surplus of Rs. 400 million. (*Indian and Foreign Review*, Vol. VII, No. 5, December 15, 1969).

41. "The United Kingdom and France addressed urgent communications to the Governments of Egypt and Israel to stop all war-like acts.....to withdraw their military forces to a distance of ten miles from the Canal. Further in order to guarantee the Canal, they have asked Egyptian Government to agree that Anglo-French Forces should move temporarily into positions at Port Said, Ismailia and Suez....." (GAOR, XIth Session, 596th Plenary Meeting, 26 November 1956, para. 47).

were carried out by (a) 1st battalion of the Parachute Regiment,⁴⁷ (b) the 2nd Grenadiers, (c) the 4th Kumaon Regiment,⁴⁸ (d) the 4th battalion of the Rajput Regiment, (e) the 2nd battalion of the Sikh Regiment and (f) the Maratha Light Infantry. All these battalions were drawn from the most senior and renowned formations of the Army.⁴⁹

India supplied two out of 5 Commanders-in-Chief of the UNEF;⁵⁰ they were Maj. Gen. P. S. Gyani,⁵¹ and Maj Gen. I. J. Rikhye.⁵² She contributed the second largest contingent of

47. In November 1957, after completing a year, they were replaced by the 1st battalion Parachute Regiment of the Punjab. The second contingent was commanded by Lt. Gen. I. J. Rikhye.

48. On 21 November 1959, troops were drawn from the 4th Kumaon Regiment. The administrative troops were drawn from the Army Service Corps, Army Medical Corps and Army Signal Corps. The entire Force was under the command of Lt. Gen. Jig Bahadur Kapoor, who on the retirement of Maj. Gen. E. L. M. Burns of Canada, was appointed Commandant of the UNEF.

49. *Indian Armed Forces Year Book*, 1960-61, pp. 893-895.

50. The UNEF Commanders were:

Lt. Gen. E. L. M. Burns, Canada, November 1956—December 1959.

Maj. Gen. P. S. Gyani, India, December 1959—January 1964.

Maj. Gen. Chaves, Brazil, January 1964—January 1965.

Maj. Gen. Sarmento, Brazil, January 1965—January 1966.

Maj. Gen. I. J. Rikhye, India, January 1966—May 1967.

(Higgins, *United Nations Peace-Keeping, The Middle East*, op. cit., p. 253).

51. Maj. Gen. P. S. Gyani, born 1910; educated Rashtra Indian Military College, Dehra Dun and R.M.A. Woolwich; Commissioned 1931 and 3½ years during the Second World War; contributed active service on the Burmese Frontier; rose to the command of the Second Infantry Field Regiment; twice Director, Artillery, Army Headquarters and commanded the Defence Services Staff College, Wellington, India, 1955-59; with the International Commission for Supervision and Control in Indo-China, August 1954 to April 1955; acted as Chairman of the Commission; Commander of the United Nations Force, Gaza, December 1959-64; United Nations Observer in Cyprus in 1964; UN Cyprus Force Commander March 1964 to June 1964; President Birla Institute of Technology, Ranchi since 1963. (*International Who's Who* 1970-1971, London: Europa Publication Ltd., 1970).

52. Maj. Gen. I. J. Rikhye, born 30 July, 1920; Lahore, educated Government College, Lahore, and Indian Military Academy; served 6 DCO Lancers, Iraq, Iran, Syria, Lebanon, Palestine and Italy from 1939 to 1945; served in the North-west Frontier (India) 1945 to 1947; Commander, India's Contingent United Nations Force, Gaza 1957-1958; Chief of Staff UNEF 1958-1960; Commander, Infantry Brigade Indian Army
(Continued on next page)

- (iii) It was understood the Force might have to function over Egyptian territory.....there must be Egyptian consent for its establishment;
- (iv) The Force was a temporary one for an emergency, its purpose was to separate the combatants, namely, Egypt and Israel, the latter to withdraw as required by the resolution;
- (v) The Force must be balanced in its composition; and
- (vi) The agreement would be in principle, and the position in regard to actual participation would be reserved till the full plan is before us."

This allowed India's contribution in 1957 of 27 Officers and 930 other ranks." About half of the force was deployed along the Armistice Demarcation Line and the international frontier between Israel and the Egyptian side of the UAR. The remainder performed administrative and logistical support tasks. The patrolling and sentry duties along a part of the Armistice Demarcation Line were entrusted to the 2nd battalion of the Sikh regiment, support duties were performed by a composite unit of the Indian army service corps, a section of the Indian Signal Corps and a unit of the Indian Provost Corps. An Indian Postal Unit provided postal facilities for Indian personnel. Several other important posts were held by Indian officers in the headquarters of the Force.

The first contingent to leave the Indian shore was the 3rd battalion of the Parachute Regiment." Subsequent replacements

44. UN Doc. A/3302, Add. 4/Rev. 1, 7 November, 1956, p. 3.

45. As of September 1957, UNEF's strength was 5,977: Brazil 545, Canada 1,172, Colombia 522, Denmark 424, Finland 255, India 957, Indonesia 582, Norway 498, Sweden 349 and Yugoslavia 673. (UN Doc. A/3694, 9 October 1957).

46. The 3rd battalion of the Parachute Regiment was specially selected for the purpose. The battalion consisted of short and stocky hillmen, hailing from the district of Almora, who had a continuous tradition of gallantry in various battle-fields particularly during World War II. It arrived in Egypt towards the end of November and established its headquarters at Dou-el Ballah, commanded by Brig. Bewoor under the Commander-in-Chief, Maj. Gen. E. L. M. Burns.

were carried out by (a) 1st battalion of the Parachute Regiment," (b) the 2nd Grenadiers, (c) the 4th Kumaon Regiment," (d) the 4th battalion of the Rajput Regiment, (e) the 2nd battalion of the Sikh Regiment and (f) the Maratha Light Infantry. All these battalions were drawn from the most senior and renowned formations of the Army."

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Maj. Gen. Sarmiento, Brazil, January 1965—January 1966.

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(Higgins, *United Nations Peace-Keeping, The Middle East*, op. cit., p. 253).

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troops, more than \$ 21 million towards costs, and bought United Nations Bonds to the value of \$ 2 million.

(iv) *The Withdrawal of the UNEF*

The withdrawal of the UNEF was very much criticized throughout the whole world. In May 1967, when President Nasser requested the withdrawal of the UNEF, the Secretary General consulted the Advisory Committee in which Canada, Brazil and Norway opposed an immediate withdrawal of the UNEF whereas India and Pakistan insisted that the UNEF must leave Egypt at once.⁵³ India's position was that it could not be a party to any procedure which would make the UNEF into an occupation Force, nor could the Government of India agree to the UNEF's continuous presence in the United Arab Republic in the absence of the latter's consent, and in any case, Indian troops could not remain part of the UNEF without the UAR's approval.⁵⁴ Prime Minister Indira Gandhi added that Israel had refused to allow the UNEF to enter Israeli territory and, therefore, if the UAR insisted, the UNEF had to be pulled out.⁵⁵ After all, it was basic to the whole functioning of the UNEF that it should not set foot anywhere on Egyptian soil except in full accordance with international law and practice, and in conformity with the recognition of the sovereignty of the Egyptian state.

The opposition parties also supported the Government of India's decision to withdraw from the UNEF. They thought that, "Nasser's request for withdrawal was unnecessary but

Continued from previous page

1960; Military Adviser to the Secretary-General of the United Nations 1960-1968; served with the UN Force in Congo, West Irian, Yemen and Cyprus; established a UN Military Training Team in Ruanda-Urundi 1960-1961; Commander UNLF Gaza, February 1966 to December 1967; at present Chairman, International Peace Academy, Brattleboro, United States. (*International Who's Who* 1970-1971).

53. Higgins, *United Nations Peace-Keeping, the Middle East*, op. cit., p. 296.

54. *Foreign Affairs Records*, Vol. XIII, No. 5, May 1969, p. 52.

55. *The Hindu*, 22 May 1967.

(that) he was quite right in demanding it as a free and sovereign country".⁵⁶

The Indian Government's decision to withdraw its troops from the UNEF had greatly influenced the Secretary General in his decision to accept the Egyptian request. In fact U Thant had very little choice, because both Yugoslavia and India who provided two large contingents of the UN Force, insisted on withdrawal once President Nasser had called for it. There is no doubt that the Secretary General would have had the greatest difficulty in replacing the Yugoslav and Indian troops, especially at short notice.

There were criticisms of the Indian non-alignment policy on this issue. *The Guardian* of 27 June 1967, reported that India was being one-sided instead of keeping to its policy of non-alignment. It said that India's statements and acts during the Middle East crisis of the past fortnight had saddened its friends, by displaying a one-sided and uncritical policy in support of the Arab dictatorships. As already discussed above, this follows from confusing a policy of non-alignment with neutrality.

After the withdrawal of the UNEF, the Security Council, the Secretary General and his special representative tried their best for a final settlement of the question. But a solution seemed to be still far off. In India's view the foundation of a lasting peace in West Asia should be built on certain basic and fundamental principles contained in the Charter:

- (i) The complete withdrawal of Israeli forces from Arab lands,
- (ii) All states must respect the territorial integrity and political independence of one another in accordance with the Charter,
- (iii) All outstanding problems in the region should be settled exclusively through peaceful means,

- (iv) The just rights of the Arab refugees must be safeguarded."

III UNITED NATIONS OBSERVATION GROUP IN LEBANON (UNOGIL) AND INDIA

(A) UNOGIL

During the summer of 1958, Lebanon⁵⁷ was a source of tension to international peace and security. Violence broke out between the then Government of Lebanon and a group of rebels who were against C. Chamoun's policy. His attempt to alter the constitution so as to permit himself to be returned to office a second time⁵⁸ and his pro-Western policy were unacceptable to Cairo and Lebanon's Muslim population. The immediate cause of the violence on 8 May 1958 was the murder of a newspaper owner who was a supporter of the rebellion party and who was against President Chamoun's policy. Fighting first broke out in Tripoli, then quickly spread.

On 22 May 1958, the Lebanese representative to the United Nations sent a complaint against the intervention of the UAR in the internal affairs of Lebanon and added that its continuance was likely to endanger the maintenance of international peace and security.⁵⁹ The Security Council first examined the issue on 27 May and recommended a solution through the Arab League. Since the Arab League failed in their attempts, the Security Council met again on June 6 to examine the Lebanese question, when Mr. C. Malik, the representative of Lebanon, made three basic claims:

First, there had been and there still was massive illegal and unprovoked intervention in the affairs of Lebanon by the UAR;

Secondly, this intervention aimed at undermining and

57. *Foreign Affairs Records*, Vol. XIII, No. 10, October 1967.

58. Area of 10,400 sq. km., and population consists of Maronite Christians and Douz Muslims of 2,645,000 (1969).

59. Under the Lebanese constitution the President was limited to one six year term.

60. UN Doc. S/4007, 23 May, 1958.

did in fact threaten the independence of Lebanon; and Thirdly, the situation created by this intervention which threatened the independence of Lebanon was likely, if continued, to endanger the maintenance of international peace and security.

Mr. C. Malik asserted that these claims were based on six facts, namely:

- (i) the supply of arms on a large scale from the UAR to subversive elements in Lebanon,
- (ii) the training in subversion on UAR territory of elements from Lebanon,
- (iii) the participation in subversive and terrorist activities in Lebanon of UAR civilian nationals residing in or passing into Lebanon,
- (iv) the participation of UAR Government elements in subversive and terrorist activities and in the direction of rebellion in Lebanon,
- (v) the violent and utterly unprecedented press campaign conducted by the UAR against the Government of Lebanon, and
- (vi) the violent radio campaign conducted by the UAR against Lebanon."

After hearing the statement on the Lebanon issue in the Security Council in spite of the Soviet Union's contention that the Lebanese issue was a purely domestic one, and therefore was not and could not be a threat to international peace, Mr. Jarring, Swedish delegate, reminded the Council that under the United Nations Charter the Security Council could investigate a situation likely to endanger the maintenance of international peace and security; in order to do this the Council must have adequate information regarding the dispute. Sweden introduced a draft resolution which was adopted by the Security Council and this gave birth to UNOGIL. The Security Council "deci-

ded to dispatch urgently an observation group to proceed so as to ensure that there is no illegal infiltration of personnel or supply of arms or other material across the Lebanese borders . . .⁶²

To implement the resolution of the Security Council the Secretary General, Mr. Hammarskjöld, appointed a three-man committee to head UNOGIL, with Galo Plaza of Ecuador as chairman, Mr. R. Dayal of India and Major General Odd Bull of Norway (in charge of the military observers). He also set up an advisory group for consultation in planning for the development of UNOGIL.⁶³ Moreover, the military observers or observer teams, the men who carried out the Observation Group's instruction to the field, were drawn from Afghanistan, Argentina, Burma, Canada, Chile, Denmark, Ecuador, Finland, India, Indonesia, Ireland, Italy, Nepal, the Netherlands, New Zealand, Norway, Peru, Portugal and Sweden.

UNOGIL's role was strictly limited to observing whether illegal infiltration was occurring, but at the same time its mere presence on Lebanon's border would contribute to the cessation of any such traffic.⁶⁴

On 15 July 1958, UNOGIL was faced with another obstacle to the implementation of the Security Council's resolution. On 14 July 1958, a 'coup d'état' in Iraq which together with Lebanon and Jordan was pro-Western had serious consequences for the international security situation in Lebanon and Jordan. In fact, encouraged by success in Iraq, revolutionary activities increased in Lebanon. Fearing the imminent overthrow of his Government, President Chamoun requested the US military aid, and the US fearing for American security in the Middle East, immediately sent it saying: "UNOGIL was able to ensure the Syrian-Lebanese border, there was a basis for hope that the situation might be moving toward a peaceful

62. UN SC Res. 128, 11 June 1958.

63. The members were: Brazil, Canada, Ceylon, Colombia, India, Norway and Pakistan.

64. Higgins, *United Nations Peace-Keeping, the Middle East*, op. cit., p. 549.

solution; but Iraq's coup changed the situation — these events in Iraq demonstrate a ruthlessness of aggressive purpose which tiny Lebanon cannot control without further evidence of support from other friendly nations".⁶⁵ They also contended that this was founded on Article 51 of the Charter and was a "question of responsibility to protect and safeguard American citizens in Lebanon of whom there were about 2,500."⁶⁶

UNOGIL reported to the Security Council their incapacity to operate effectively in that area after the landing of the US armed forces. Since the Security Council was unable to obtain the consensus of the Permanent Members, the matter was transferred to the General Assembly on 7 August 1958.

The General Assembly's main task was to find out ways and means to make foreign troops withdraw from Lebanon and thus to restore stability in that area. As a result, by 25 October 1958, the United States had withdrawn its troops.

So on 16 November 1958, the Foreign Minister of Lebanon sent a message to the President of the Security Council in which he requested the deletion of the Lebanese complaint from the Security Council Agenda, as diplomatic relations had been renewed between Lebanon and the UAR.

UNOGIL existed only for 6 months. It employed personnel from 21 countries. Its total cost was \$ 4,200,000. Its presence had helped to inspire the confidence of the inhabitants— which made it easier to perform its role of observation and report.

(B) India's View on the Lebanon Question"

The whole issue on Lebanon, according to the Government of India, involved the question of Arab nationalism; and from the very beginning of the crisis it defended this nationalism. Nehru speaking on this said, "Arab nationalism must be recog-

65. Curtis, G.: "The UN Observation Group in Lebanon", *International Organization*, Vol. XVIII, No. 3, Autumn 1964, p. 753.

66. *Ibid.*, pp. 753-754.

67. Refer to Foot note 17, p. 73.

nized by other countries. It is an obvious, patent and clear fact which cannot be denied. There have been many failures in the past for lack of understanding of this force".⁶⁸ And this Arab nationalism should not be confused with some kind of imperialism for "Nationalism as such and imperialism are, ex hypothesi, incompatible one with the other".⁶⁹ So India was convinced that an effective solution could be found only if this area was removed from the orbit of the 'Cold War' and due recognition given to the dominant force of this area, Arab nationalism.

After the 'coup d'état' in Iraq, representatives of certain countries made the remark that this would be the harbinger of instability and violence in that area. But the Government of India could not see the violence in the 'coup d'état' in Iraq; the Indian representative in the United Nations said, "this is very understandable because the uprising in Iraq was the uprising of the people which had suffered too much oppression, too much concentration of power in the hands of a few, too little respect for the people, too little attention to its needs and aspirations."⁷⁰ In fact, Arab nationalism as India saw it was a great step forward to the achievement of stability and peace in the Middle East.

The Government of India wished to maintain friendly relations with Lebanon and Jordan. It wanted them to decide their own future and declared them to be entitled to do this without interference from any quarter, no matter what the motives. This is why the Government of India viewed with grave concern the landing of foreign troops in Lebanon. It could not understand how Article 51 of the Charter could be used to justify the presence of foreign troops in Lebanon. For India, the very presence of massive striking potential could not but interfere in the normal, everyday and political life of the people. Nehru's point of view was that even if those forces were there from a genuine desire to help the cause of peace, they would

68. Quoted in GAOR, 3rd Emergency Special Session, 738th Plé. Mtg., 18 August 1958, para. 109.

69. *Ibid.*, para. 110.

70. *Ibid.*, para. 112.

inevitably have to side with one group or another in the country and the consequences could be explosive." The essential pre-condition for a return to normality would be their departure.

When there was talk of forming a UN Force in Lebanon, the Indian Government could not see how feasible and valuable this force would be. It was afraid that this would only be the replacing of a foreign force by a UN Force. Therefore, the only possible solution would be to strengthen the UN Observation Group should the country in question asked for it.

India had actively participated in this UN operation. On the Secretary General's request it had made available Mr. R. Dayal as one of the three members of the UNOGIL. Dr. A. Lall served as one of the members of the Advisory Committee, and a total of 71 Indian military officers served in this group between June and December 1958."

IV. UNITED NATIONS YEMEN OBSERVATION MISSION (UNYOM) AND INDIA

(A) UNYOM

On 27 September 1962, the Yemen⁷¹ became another problem for the United Nations. Civil war with the implication of international repercussions broke out between Royalists and Republicans in the Yemen.

After the death of King Ahmed, Imam, of Yemen, his son Badr, Imam, took over as King of Yemen. The young King wished to follow a policy of modern democratic reform unlike his father who was considered tyrannical and harsh. But just

71. GAOR, 3rd Emergency Sp. Sess. 733th Plc. Meeting, 18 August 1958, para. 116.

72. As of 26 June 1958, 94 Officers from 12 countries served as Observers, on 15 July, the group numbered 113, on 10 August 160, and during the months of September to November was increased to 531. Of these there were 469 Ground Observers, 32 non-Commissioned Officers and 90 in the Air Section. (*Foreign Affairs Reports*, Vol. XVI, No. 4, April 1967, p. 43).

73. Yemen is situated in the southern region of the Arabian peninsula; territory—195,000 sq. km., with a population of 500,000 (1970). It is also estimated that there are about 3,500 tribes and sub-tribes in Yemen.

a week after the new King came to power, there was an army revolt which resulted in the formation of a rebel Government under Abdullah Sallal.⁷⁴ The result was riots and violence.

On 27 November 1962, the Royalist Government of the Yemen urged the United Nations to establish an enquiry mission to find out whether the rebellion was or was not fostered from Cairo. The Secretary General sent Mr. R. Bunche on a fact finding mission on the Yemen problem. In the meantime the United States had sent Mr. E. Bunker to Saudi Arabia and Cairo for talks for the same purpose. As a result of these activities the United Nations could make all three states, Saudi Arabia, Cairo and Yemen, accept identical terms of disengagement:⁷⁵ "The Government of Saudi Arabia will terminate all support and aid to the Royalists of the Yemen, simultaneously the UAR will undertake to begin withdrawal of its troops from the Yemen..... A demilitarized zone will be delimited and supervised on the Saudi Arabia-Yemen border".⁷⁶ To implement the agreement, the Secretary General appointed Major Gen. Carl Von Horn of Sweden, Chief of Staff of UNTSO in Jerusalem, to proceed to the three countries for the purpose of consulting with the appropriate authorities on the nature and functioning of the UN Observers. On the report of Von Horn the Secretary General suggested that:

- (i) UN Observers in Saudi Arabia-Yemen area were vitally necessary and could well be a decisive factor in avoiding serious trouble;
- (ii) Total personnel required for the observation mission would not exceed 200. This figure would include a small number of Officers; a Ground Patrol Unit numbering 100 men; a small aircraft with a crew of eight, personnel for such essential supporting ser-

74. Col. Sallal was appointed as Chief of the Imam's bodyguard which gave him an opportunity to put into effect revolutionary ideas.

75. This means that the parties in question came to a solution by which they accepted the responsibility of halting hostilities and of withdrawing their forces.

76. UN Doc., S/5298, 29 April 1963.

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76. UN Doc., S/5293, 29 April 1963.

relatively long time and does not show any prospect of complete normality in the near future.

India's position with regard to these areas is that their independence and sovereignty should be respected. This means that there should be no foreign interference but rather a sincere spirit of neighbourliness. This is why India highly appreciates and supports the nationalist movement in these areas. Arab nationalism, according to India, is an important element in the search for peace and stability in the Middle East.

This does not mean that India does not have sympathetic feelings towards the Jews in their struggle for survival. But it is of the opinion that the Zionist movement is imperialistic and dangerous for the independence and sovereignty of the Middle Eastern countries. As a matter of fact this movement led to the partitioning of Palestine with the resultant violence.

India's political and military support was an essential element in United Nations peace-keeping activities in the Middle East, particularly in the case of the UNEF. Its position on these operations was strictly based on United Nations' provisions as well as on the general lines of its own foreign policy.

To-day, the path to a settlement in the Middle East seems to lie through reconciliation between Israel and the Arab countries. As a first step, India cannot expect the return of peace and security to the area without the withdrawal of the Israeli forces from occupied Arab lands. And later it would be necessary to introduce both political mediation and military supervision, if there is to be any lasting settlement in the Middle East.

because of the interests of the Big Powers in the Arabian Peninsula. Clearly the Yemen's location in the Arabian peninsula was of strategic importance, moreover its oil deposits were of considerable economic value to the UK and the USA, which hence feared the possibility of Communist penetration in this region.⁸³

The crisis in Yemen, according to the Indian politicians, was a class struggle. There was a conflict between the Arab states involved. The UAR and Saudi Arabia followed two different policies and had come to the help of two conflicting groups in the Yemen. So the solution should have been sought at a high-level meeting between King Faisal and President Nasser. India offered its services in the hope of bringing about a peaceful settlement through negotiations.

Although the UNYOM was comparatively small⁸⁴ and of short duration, India had taken a major part in it. Major-General I. J. Rikhye was very closely associated with the military observation group and the Governments concerned in the attempt to achieve a speedy settlement. Lt. Gen. P. S. Gyani was chief of UNYOM for a short period after Gen. Von Horn had resigned.

After the fighting the economic set-back became a crucial problem in the Yemen. Many countries helped the Yemen and among them, India was one of the main supporters of the United Nations resolution on technical assistance to the Yemen. Plans for Indian assistance were worked out. Batches of Yemenis were prepared to be brought to India for training in crafts and small scale industries; and India built industrial estates in the Yemen where these crafts could be practised.⁸⁵

Conclusion

The Middle East has been an area of violent conflict for a

83. *Foreign Affairs Reports*, December 1966, p. 157.

84. The observers were: 4 Swedes, 4 Danes, 5 Yugoslavs, 3 Dutchmen, 2 Norwegians, 2 Pakistanis, 2 Indians and 1 Ghanaian (*The New York Times*, 27 December 1963).

85. *Indian and Foreign Review*, Vol. I, No. 2, November 1963.

Africa. Its riches and great potential were ever an attraction to colonialists, and in particular amongst Europeans, to the Belgians. Belgium under King Leopold II started the explorations in 1870. In 1883, the well-known explorer Henry M. Stanley was sent by King Leopold to establish trading stations along the Congo river, to make treaties with African chiefs and to conduct further explorations. In 1885, in the Belgium Treaty Conference of 13 European states to delimit territorial claims in Africa, King Leopold of Belgium was given the authority to organize the 'Congo Free State'.³ In 1908, the Belgian Government assumed full colonial responsibility for the Congo.

After 1945, there were some particular events which helped the Congolese to envisage the possibility of getting their independence. For the first time Congolese leaders were seen abroad when they visited the Brussels World Fair. The first meeting of all African Heads of State at Accra attracted the world's attention, and General De Gaulle's launching of the French Community at Congo Brazzaville had a marked effect on thinking minds in Central Africa.⁴ At home the Municipal elections of 1957 in Leopoldville, Elizabethville and Jadotville encouraged the development of national movements for the independence and unity of provinces, from which there emerged brilliant political leaders like Patrice Lumumba, Joseph Kasavubu, Moïse Tshombe, Albert Kalonji and Antoine Gizenga.⁵

This series of events paved the way to a 'Round Table Conference' in Brussels in January 1960, in which the date of Independence of the Congo was fixed. As a guarantee and help to the new Republic, on 29 June 1960, a 'Treaty of Friendship' was established and signed by both the Belgian and Congo Governments. This Treaty provides that: "Belgium military detachments were to remain in the Congo and Belgium officers were to continue to ensure the command of the 'Force Publique' (later called *Armée Nationale du Congo*—ANC) as no Congolese had until then obtained even the lowest officer's qua-

3. Tondel, *op. cit.*, p. 2.

4. *Ibid.*, p. 7.

5. Gordon, J. King, *UN in the Congo*, *op. cit.*, pp. 7-9.

CHAPTER V

India and the United Nations Congo Operation

I. CONGO AND INDEPENDENCE*

On 30 June 1960, King Baudouin of Belgium proclaimed the independence of the Republic of the Congo at Leopoldville.¹ Because of its size,² the diversity of natural resources and the position it occupies in the centre of the Continent, it is destined to play an important role in African and in international concerns. But, since its independence, the Congo has been the scene of bitter conflict, internal strife and disunity which have made it difficult for the Central Government to function effectively in all parts of the Congo. A study of this issue can be most effectively subdivided under two headings, external and internal factors.

(a) *External Factors*

For very long the Congo was the 'golden pinwheel' of

*For details see, Gordon, J. King: *United Nations in the Congo: the quest for peace* (New York: Carnegie Endowment for International Peace, 1962); Gendebien, P. H.: *u. L'. intervention des Nations Unies au Congo, 1960-64* (The Hague: Mouton & Co, 1967); Tondel, L.M., Jr. (ed.): *The Legal Aspects of the United Nations Action in the Congo*. (New York: Oceana publications, 1963).

1. Officially renamed the Democratic Republic of the Congo in July, 1964. More recently, October 27, 1971, renamed Zaïre.

2. Area of 2,345,409 sq. km., and population of 17,423,000 (1970).

lence were commonplace. It is not surprising, then, that the secession¹¹ of provinces as influential as Katanga under Tshombe and Kasai under Kalonji caused yet further disunity among the Congolese and disintegration in the Republic of the Congo.

The mass flight of Europeans following the mutinies caused the breakdown of all of the public services and a collapse of the economy, and thus led to a further breakdown of law and order, since there were no well trained and educated Congolese to take over the administration. Also, in the military section, the ANC till then administered by Belgians came under Congolese officers who were ill-trained and poorly qualified, and mutiny became inevitable.

II. UNITED NATIONS INTERVENTION IN THE CONGO

After attaining independence the country had many serious problems, economic, social, political, military and administrative. Powerless to restore order and to maintain normal life in the country—the Republic of the Congo requested the military assistance of the United Nations because of “the dispatch to the Congo of Metropolitan Belgian troops in violation of the ‘Treaty of Friendship’ signed between Belgium and the Republic of the Congo on 29 June 1960”; no request for such troops had been made and “the unsolicited Belgian action (is regarded) as an act of aggression against our country”, and a preparation for “the secession of Katanga with a view to maintaining a hold on our country. . . . The essential purpose of the requested military aid is to protect the national territory of the Congo against the present external aggression which is a threat to international peace”.¹²

11. “Secession is often the resort of a cultural, linguistic, traditional or locally patriotic minority that has no chance or has never wished to dominate or has abandoned hope of dominating the whole nation. It is the greatest of political dangers in the new-ex-colonial states for they interpret it as manifestation of new colonialism and as a threat to their territorial integrity no less acute than foreign invasion” (Darius A. L. and Heathcote, N.: *Peace-Keeping by UN Forces—Middle East and Congo* (London: Pall Mall Press, 1963), p. 163.

12. UN Doc. S/4382, 13 July, 1960.

fications Belgium was to place advisers at the disposal of the administration until command could be taken over by Congolese who had acquired adequate training".*

Soon after independence, the Congolese forces mutinied and committed acts of violence against Belgian officers all over the Congo.⁶ In Katanga M. Tshombe⁷ requested the assistance of Belgium to rescue civilians, both African and Belgian, to save their lives and their property. Belgium sent troops to maintain or restore order. As a consequence riots and violence increased. Tshombe made the most of this massive arrival of Belgian troops and declared Katanga an Independent Republic on July 11, 1960. The Congo Government of Leopoldville dubbed this action aggression from external states in the Republic of the Congo. Whether an aggression (Congo's point of view) or a humanitarian act to protect lives of its nationals (Belgian point of view) under the terms of United Nations Charter, it appeared to be a classic situation that called for action to offset a threat to international peace.*

(b) *Internal Factors*

The people of the Congo comprise some 70 tribes speaking different dialects and many of the political parties have strong tribal affiliations.⁸ Each wished to promote the interest of its own tribes over those of others, and as a result riots and vio-

6. Quoted in IPKO Documentation (Paris, A service of the World Veterans Federation), No. 10 (Denmark), June 1967, p. 11.

7. There were about 100,000 Belgians in the Congo (Alain James, *op. cit.*, p. 355).

8. M. Tshombe was 41, wealthy, a conservative and pro-Belgian.

9. Tondel, *op. cit.*, p. 18.

10. Gordon, J. King lists as the principal political parties in the Congo: The Abako party (Alliance des Bakongo) of Joseph Kasavubu, represents the Bakongo of the lower Congo region; The Balunda in Southern Katanga provide the support for M. Tshombe's Conakat party (Confederation des Associations du Katanga); The Kasai Baluba are the basis of A. Kalonji's branch of MNC (Mouvement National Congolais) in South Kasai and the Katangese Baluba the foundation of Jason Sendwe's Balubakat (Association des Baluba du Katanga) in North Katanga and Lumumba's MNC at Stanleyville. (Gordon, J. King, *UN in the Congo*, *op. cit.*, p. 10).

and it is its largest city. As the mutinies first started there" it was the first place where the UN Force deployed, occupying key posts such as Radio Stations, Airports etc. in mid-July 1960. In Leopoldville, the tasks of the Force which included patrolling in a populous country, and the protection offered to public personalities at their request helped to prevent any violence or bloodshed.

But it was the unity of the Congo which most pre-occupied Prime Minister Lumumba." So he reiterated the request to ONUC to subdue Katanga even with force, if there was no other way. But ONUC did not wish to interfere in internal conflicts. This made Lumumba very bitter against the United Nations.

Mr. Lumumba's friendship with Russia," and the 'massacre of Kasai' by Lumumba's forces frightened President Kasavubu. As a result Kasavubu dismissed Lumumba saying that he had "betrayed his office by provoking discord within the Government, depriving citizens of their fundamental liberties and plunging the country into fratricidal civil war".¹⁸ Lumumba on his part discharged President Kasavubu under the confused constitution of the 'Loi Fondamentale'.¹⁹ Parliament, the supreme legislature, accepted neither Kasavubu's dismissal nor Lumumba's discharge. These internal political con-

18. It is interesting to note that in Leopoldville, there were only 17 police stations and there were 1,500 policemen; they did not function during the night which was the very time when increased vigilance was necessary. (UN Doc. S/4557, 2 November 1960, para. 58).

19. Patrice Lumumba, a former postal clerk, Head of the Congolese National Movement.

20. The United States delegate Mr. Wadsworth noted that: "hundreds of so-called technicians and two dozen Soviet transport aircraft and 100 Soviet trucks appeared in the Congo". (UN Review, Vol. VII, No. 4, October 1960, p. 8).

21. Burns and Heatheote, *Peace-Keeping by UN Forces*, op. cit., p. 46.

22. This is to be judged in the light of Articles 12 and 22 of 'Loi Fondamentale'.

Article 12: the Chief of the State is designated by a majority of two thirds of all the members who constitute the two Chambers in joint session.

Article 22: The Chief of State designates and revokes the Prime Minister and the Ministers. (Tondel, op. cit., p. 21).

The Secretary General having carefully analysed the request, brought it before the Security Council saying that the Belgian troops being in the Congo, "the presence of these troops is a source of internal and potentially international tension.... It is in this light, I personally wish to see the request for military assistance which has been addressed to me by the Government of Congo. Although I am fully aware of all the problems, difficulties and even risks involved... It is, therefore, my conclusion that the United Nations should accede to the request of the Government of the Congo". On 14 July the Security Council adopted a resolution in which it stated that it:

- (i) "Calls upon the Government of Belgium to withdraw their troops from the territory of the Republic of the Congo;
- (ii) Decides to authorize the Secretary General to take the necessary steps in consultation with the Government of the Republic of the Congo, to provide the Government with such military assistance as may be necessary".¹³

In order to carry out the resolution the Secretary General set up the United Nations Operation in the Congo—'Operation des Nations Unies au Congo' (ONUC). ONUC¹⁴ was, on the one hand, a civilian operation and, on the other, an international armed peace force.¹⁵ The objectives of the ONUC were, the withdrawal of Belgian troops, the maintenance of law and order, the termination of the secession of Katanga and the provision of technical assistance.

(A) *United Nations Force in Leopoldville*

Leopoldville¹⁶ is the capital of the Republic of the Congo

13. *UN Review*, Vol. VII, No 2, August 1960, p. 45.

14. UN SC. Res. 143, 14 July 1960.

15. It was called ONUC for French was the official language in the Congo.

16. *Everyman's UN XX*, *op. cit.*, p. 169.

17. Leopoldville officially renamed Kinshasa on 1 July 1966.

Moise Tshombe and Balmbakat under Jason Sendwe.²⁶ The municipal elections of 1957 gave the majority to the Conakat party and they formed the provincial Government of Katanga under Tshombe.

The Katanga secession was encouraged by the Belgians who wished to have a friendly Government in Elizabethville as a counterweight to Lumumbist force, believed 'unitarian' and 'pro Soviet'.²⁷ Moreover, the growing hostility of the Congolese, particularly under Lumumba, towards the Belgians increased the fear of foreign interference in Katanga and Kasai. So secession appeared to be the only road to safety.²⁸

To restore the unity and integrity of the Congo, ONUC had to put an end to the secession and bring about the withdrawal of foreign troops. To implement the resolutions of the Security Council the UN Force decided to enter into Katanga.²⁹ But Tshombe advised the Secretary General that he would resist the UN Force in Katanga. The Secretary General replied to Tshombe that under international law "subordinate territorial organs of a nation were bound by the terms of Security Council resolutions as much as member states themselves".³⁰ Later the Secretary General himself went into Katanga with the UN Force, and the evacuation of foreign troops from Katanga took place although not completely. Moreover, once the

26. The tribal factions between these two parties always existed. This conflict is an old story: the Baluba, a large tribe living in the North of Katanga and South of Kasai, in the last few years, they moved to Elizabethville where they had better education and became the most evolved group of workers in the Congo. The Belgians employed them as clerks and soon they had a higher level of earnings and living which incurred the jealousy of the other tribes... (UN Review, Vol. IX, No. 7, July 1962, p. 18).

27. Burns and Heathcote, *Peace-Keeping by UN Forces*, op. cit., p. 31.

28. It is also reported that secession became inevitable because of:

(a) The personal antipathy between Lumumba and Tshombe.
(b) Tshombe's disapproval of Lumumba's desire to over-centralize the country.

29. UN Doc. S/4417, 6 August 1960, para. 4.

30. Quoted in Gordon, J. King, *UN in the Congo*, op. cit., pp. 27.

facts reflected the influence of the 'Cold War', with Lumumba increasingly representing the aspirations of the Soviet Union and Kasavubu those of the West. President Kasavubu appointed J. Ileo to take over as Prime Minister. On 14 September 1960, Colonel Mobutu announced that the army was taking over power in a peaceful revolution and that political activity by Mr. Lumumba, Kasavubu and Ileo would be suspended for the year.

Parliament was convened under the protection of ONUC. Once the legal Government of Leopoldville was established under Mr. C. Adoula, the United Nations could work properly for the unity and integration of the entire Congo, the reorganization of the army and aid to the Central Government for the proper functioning of the Republic of the Congo.

(B) United Nations Force in Katanga

Katanga was the richest of all the provinces of the Congo (Leopoldville).²³ Geographically, Katanga was strategically situated on the borders of Portuguese Angola and the Central African Federation ruled from Salisbury by Sir Roy Welensky's white Government.²⁴ Because of its riches many different categories of foreigners, particularly Belgians, resided in Katanga, among others were military, para-military, mercenaries, advisers and staff of 'Union Miniere du Haut Katanga'.²⁵

Politically there were two main parties, Conakat under

23. Katanga's annual exports \$ 270 million, copper accounting for nearly \$ 250 million and its five biggest copper customers are Belgium (160,000 tons), France (40,000), Italy (36,000), USA (5,000) and Britain (3,000). (*The Hindu*, 23 August 1962).

24. In June before the Belgians withdrew from the Congo, it is reported that there was a mysterious link between Mr. Tshombe and Sir Roy. The proposal, not denied by Sir Roy, was for Katanga to join the Central African Federation as an autonomous unit. Without doubt, the mercenaries entered with the knowledge of Sir Roy's Government. The composition of the mercenaries apart from Belgians, was of white Rhodesians, South Africans and Frenchmen. (*The Hindustan Times*, 23 September 1961).

25. The 'Union Miniere du Haut Katanga' is a Belgian Corporation with its headquarters in Brussels.

on 20 December. The eight-point Kitona Agreement was supposed to procure the end of secession and reintegration with the legal Government of the Congo. As the talks between Adoula and Tshombe could not reach an agreement, on August 20, the Secretary General proposed a 'Plan of National Reconciliation' to end the secession of the province of Katanga and to achieve the peaceful unification of the Congo.²⁵ The main points of the Plan were: the drafting of a Federal Constitution, the division of revenue between the central and provincial Governments the unification of all military, para-military or gendarmerie units into a national army, the withdrawal of all provincial representatives abroad and at home not serving under the authority of the Central Government, and the reconstitution of the central Government. This plan should have been carried out in four phases:

- (i) The central Government and the provincial Government provide for reconciliation.
- (ii) If the Katangese Government refuses, the Governments will advise it that, if the proposal is not accepted within 10 days, they will, if so requested by the Government of the Congo, take all measures available to them to comply with the central Government's laws and regulations on exports of copper and cobalt from Katanga.
- (iii) If again they refuse, the Government of the Congo will request all interested Governments to refuse to permit the importation of cobalt and copper into their country.
- (iv) If these measures were not favourable, other measures should be taken in the light of the circumstances existing at that time.²⁶

Although the Plan was accepted by Tshombe, there were differences on the terms and thus it was not successful.

legal central Government was established through Parliament, the UN Force could really get down to enforce President Kasavubu's decree of August 24, 1961, expelling all non-Congolese officers.

Since Tshombe did not keep his promise to evacuate all foreign officers, the UN Force threatened that they would use all possible means to implement UN decisions. On September 13 firing broke out. On the request of the British delegate, a cease-fire was agreed upon on 17 September at Ndola in Northern Rhodesia and, in spite of the fact that the Secretary General was killed in a plane crash on his way there, the cease-fire came into effect three days later.

Since the cease-fire agreements were not observed by the Katangese, the resolution of 24 November 1961 directed the UN to put an end to the secession. After this resolution Tshombe broadcast to all Katangese: "U Thant will launch a war on our territory. . . . Tomorrow or the day after tomorrow, there will be a trial of strength. When the time comes, let Katanga fighters arise in every path, on every highway, in every village. You cannot all have automatic weapons or rifles. But we still have our poisoned arrows, our spears, our axes for cutting down trees, our picks for digging ditches, our hearts to beat with courage. Not a road must remain passable, not one UN mercenary must feel safe in any place whatever. . . . Katanga standing between foreign domination through the United Nations, and nothing, is ready to choose, with pride, nothing".³¹ On 28 November, trouble started. Two senior UN officials were captured and beaten up. One Indian Major searching for these two officials was never seen again. His driver was found killed in front of the residence of Mr. Tshombe.³² As a result, the UN Force intervened in Katanga a second time, at the end of December 1961. When Tshombe understood that there was no hope of continuing a war against the United Nations, he accepted, at the United Nations' request, the Kitona Agreement

31. UN Doc. S/4940, Add. 15, November 30, 1961, pp. 2-3.

32. Gordon, J. King, *UN in the Congo*, op. cit., p. 140.

On January 20, Gizenga was taken to Leopoldville under United Nations' protection and there he was placed under the security of the Republic of the Congo.

(D) *United Nations Force in Kasai*

Kasai is another rich province of the Congo.³⁶ The two main tribes of Kasai were in constant dispute for power. Accordingly the Baluba leader A. Kalonji declared the South of Kasai an independent state (Etat Autonome) in August 1960 to escape from the violent attacks of the Lulua.³⁷ During all these disturbances particularly during the 'massacre of Kasai', when the Lulua brutally attacked the Baluba tribe, the ONUC was constantly at work to protect human lives and to keep law and order until the legal Government of the Congo be established.³⁸

III. INDIA'S POLICY

(A) *The Indian Government's Policy towards ONUC*

(i) *A Colonial Failure*

India's relations with African States are based on its historical ties and the pursuit of a common policy of non-alignment, promotion of international peace, anti-colonialism and anti-racialism.³⁹ In this perspective, India with great interest and with the most friendly and sympathetic feelings welcomed the independence of the Congo. However, the tragic events which followed that independence saddened and were a matter of concern to the Government and people of India.

As India saw it, the root of all problems in the Congo was Belgian colonialism. Prime Minister Nehru's view was that the striking failure of the Belgian colonial system which left

36. South Kasai produces about 80 per cent of the world industrial diamonds.

37. Gordon, J. King, *UN in the Congo*, op. cit., pp. 51-52.

38. As this province had been the one to suffer most from the famine, ONUC had intervened more generously there to feed them and to protect the fleeing Baluba refugees too.

39. *Foreign Affairs Records*, Vol. X, No. 9, September 1964, p. 226.

The subsequent attack of the Katangese gendarmerie against the Armée Nationale du Congo caused the UN Force to intervene a third time in Katanga, on 29 December 1962. On 13 January, Tshombe, finding it hopeless to fight, declared to the Secretary General and Prime Minister Adoula that the secession of Katanga was over: "I am ready to proclaim immediately before the world that Katanga's secession is ended". This was the most important achievement of the ONUC in the Congo, i.e., to restore territorial integrity and political independence to the Republic of the Congo.

(C) *United Nations Force in Orientale*

The province of Orientale, particularly the capital, Stanleyville, was the stronghold of MNC, of Lumumba's party. Moreover, Stanleyville was his home-land and when he was imprisoned after dismissal by Kasavubu, a self-styled political heir of his, Antoine Gizenga, proclaimed the re-establishment of the legal Government of the Republic of the Congo in Stanleyville during the month of August 1960. So the UN Force had to be constantly vigilant to prevent a clash between the Governments of Leopoldville and Stanleyville which both claimed to be the legitimate Government of the Republic of Congo at that time.

The death of Lumumba brought the threat of violence to the entire population of Orientale. The UN Force made a great effort to calm down the Leopoldville and the Stanleyville troops.

After the reconstitution of legal Government, Gizenga became Vice-Prime Minister of the Congo. But after a short time, he returned to Stanleyville from Leopoldville and established a new political party known as PANALU (Partie Nationale Lumumbiste). He also formed a private army entirely composed of the provincial gendarmerie.³⁵ Soon, fighting broke out at Camp Ketele between the gendarmerie and the Central Government army. It was the United Nations Ethiopian troops who disarmed the gendarmerie and restored law and order.

35. *UN Review*, Vol. IX, No. 2, February 1962, p. 27.

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39. *Foreign Affairs Records*, Vol. X, No. 2, September 1964, p. 226.

the Congo in such a state, was the result of long years of colonial rule which drained wealth from the country for the enrichment of the colonial power, while leaving the people of the country utterly poor and backward.⁴⁰ In education, for example, they provided a widespread primary education but no possibility for higher education; obviously, to avoid their rising "above a certain educational stage".⁴¹ The United Nations representative, Mr. R. Dayal of India, confirmed this attitude in his report that "At the time of independence, there were only 17 Congolese University graduates, no Doctors, no Engineers, no Professors, no Architects and few if any qualified lawyers".⁴²

It was inevitable that, on gaining independence, the Congolese army should mutiny. Conditions under the Belgians had virtually ensured this. Indian papers reported that the Belgians were responsible for the disorder among the Congolese soldiery, in not paying their wages etc. before they left the Congo. So Mr. Krishna Menon justifiably observed in the General Assembly on 20 November 1961: "the very fact that a metropolitan country after years of rule, leaves a territory in such a state of anarchy that after its withdrawal civil war and outside intervention follow, provides the worst picture of colonial rule that has come before this Assembly".⁴³

The Government of India was convinced that after independence, too, the Belgians were the root-cause of all the problems in the Congo. It was patent that the old colonial power was coming back to a very considerable extent, not principally as military troops, but as civilians, technicians, advisers, experts and so forth, to create troubles in an independent state.⁴⁴

(ii) *Congolese Problems should be solved by the Congolese*

One of the aims of the ONUC in the Congo was that: "the

40. *Foreign Affairs Records*, Vol. VI, No. 10, October 1960, p. 217.

41. Statement of Jawaharlal Nehru in *Lok Sabha Debates*, Vol. XLIX, No. 21, 12 December 1960, Cols. 5044-5045.

42. First Progress Report of R. Dayal, *UN Review*, Vol. VII, No. 5, November 1960, p. 22.

43. GAOR, 16th Session, 1058th Pl. Mtg., 20 November 1961, para. 142.

44. *Rajya Sabha (The Council of States) Debates*, Vol. XXXI, No. 11, December 1960, Cols. 1602-1603.

future political shape of the Congo must be determined by the Congolese themselves".⁴⁵ Therefore, there should be no foreign intervention in the sovereign state of the Congo for this is always a menace to peace. This was reaffirmed in the Commonwealth Prime Ministers' Conference of 1961 in London when they issued a statement that: "they deplored outside intervention in the Congo and recognized that many of the problems which had arisen were due to such intervention".⁴⁶ The Conference of non-aligned countries in Belgrade on September, 6, 1961 also strongly shared this point of view.⁴⁷

In the Indian view, not even the United Nations should become a ruling authority or a foreign power in the Congo. Their role was to help the Congolese to put their house in order. As a helping body the United Nations' duty was to facilitate the convening of a Parliament and thus the proper functioning of the central Government; because "every opportunity should be given to all to settle the crisis constitutionally through the medium of the Congolese Parliament".⁴⁸ The Congolese people had to be left to decide their own destiny, as this was essentially a Congolese problem.

(iii) India Criticizes ONUC

The Government of India welcomed the formation of the ONUC in the Congo, because as Nehru said, this type of action was fully justifiable, and perhaps in the future it may prevent conflicts between countries. The speed and efficiency with which it was undertaken proved that the United Nations could function efficiently.⁴⁹

45. *Sydney Morning Herald*, 11 August 1960, reported two other objectives:

(a) No foreign intervention in the Congo—so the Belgians should withdraw;

(b) Violence must be avoided.

46. *Foreign Policy of India, Texts of Documents*, op. cit., p. 534.

47. *Ibid.*, p. 534.

48. R. Dyal quoted in the *Hindu*, 15 October 1960.

49. *Foreign Affairs Records*, Vol. VI, No. 8, August 1960, p. 172.

From the outset, India accepted the United Nations request to participate in the ONUC to fulfil its mandate to:

- (a) maintain the integrity and political independence of the Congo,
- (b) assist the Congo Government to maintain law and order,
- (c) prevent the occurrence of civil war, and
- (d) secure the withdrawal and evacuation of foreign military and paramilitary personnel.*

But in the course of time India noticed that ONUC was not functioning as it should; lawlessness and disorder were rife in the country and ONUC proved unable to bring such to an end. According to the Government of India this was due to the United Nations 'limited authority' in the Congo; it was partly because of broad policies laid down by the United Nations which did not allow them to do anything with power; and partly because the enforcement of law and order by the United Nations agencies requires a far larger force, which naturally the ONUC did not have in the Congo. It was impossible to secure law and order with only 18,000 or 19,000 armed personnel in a country as vast as the Congo.

So India insisted on the importance of the ONUC in the Congo and pressed for a stronger UN policy. This was fully justified by Indian statesmen, as the conditions under which the United Nations first undertook the operation in the Congo had largely changed, implying that:

The United Nations had begun its activities on the invitation of the legal Government of the Congo, but there was now no legal Government and in fact there was no Government at all. The army, which had served the Republic, had subsequently entered into politics and prevented the Government from functioning as a government should. The United Nations had gone into the

50. *Foreign Affairs Records*, Vol. VII, No. 11, November 1961, p. 355.

Congo to maintain this country's integrity and check separatists, but these had, in fact, increased, and civil war had broken out. Also, the United Nations had originally intervened to obtain the withdrawal of Belgian troops and prevent intervention by other forces, but, later it was noted that outside interference had increased."

Therefore India suggested that for the ONUC to be effective, the resolutions of the Security Council should be positively fulfilled, i.e.:

- (i) The Parliament of the Congo had to be convened; effectiveness of the United Nations requires a lawful Government;
- (ii) No settlement of the situation in the Congo was possible unless all the Belgian troops, military and non-military, were made to withdraw from all parts of the Congo,

which was, after all, one of the essential reasons for the arrival of ONUC. It was not good enough for the Belgian Government or for anyone to say, "we did not send them. They have gone privately at the invitation of the Katanga Government".⁵¹ The Indian Government could not conceive of large numbers of Belgians of all types including military people, going to the Congo without the approval or at least the acquiescence of the Belgian Government. Nehru was in no doubt that: "these Belgians are responsible, that they must shoulder the responsibility for all that has happened".⁵²

In spite of these efforts, when the solution to the Congo problem was still not coming into sight, the Indian Government violently criticized ONUC, for its ineffectiveness and passivity:⁵³ "the whole country is going to pieces, there is no law

51. *Foreign Affairs Records*, Vol. VI, No. 12, December 1960, p. 400.

52. *Lok Sabha Debates*, Vol. I, No. 1, February 1961, Col. 138.

53. *Lok Sabha Debates*, Vol. XXXII, No. 2, February 1961, Col. 130.

54. ONUC's passivity naturally favoured those people who had seized power and were exploiting it to their own advantage in Katanga and elsewhere.

and order and the United Nations mission is sitting there almost passively and sometimes things happen before its eyes which are highly objectionable".⁵⁵ In short, the policies pursued by the United Nations till then in the Congo appeared to be a complete failure. But the United Nations could not accept failure in the Congo for as Krishna Menon very rightly said: "if the United Nations fails in the Congo, it fails in Africa—it fails in the world and that takes us nearer to a situation of a threat to international peace and security".⁵⁶

The United Nations defended itself against these criticisms stating that the ONUC could not use force to stop lawlessness in the Congo because, it was a peace-force not a fighting-force; they were in the Congo to help everyone to harm no one etc. But the Indian Defence Minister could not understand then "why did the Security Council send a military force of 20,000, if there was no function of force, and why had the United Nations projected itself in the beginning by military might?"⁵⁷

The ONUC also defended itself in stating the principle of non-intervention in internal affairs.⁵⁸ India could not understand then why sometimes they took up a very strict and narrow legal view that they could not intervene in anything, and sometimes they did things which were clear intervention. For instance, why did the UN Force in Katanga capture several hundred members of a tribe which was under arms and then hand over their leaders to the Katanga officers whom they did not recognize?⁵⁹ There are other examples where the United Nations did not intervene. A Prime Minister or rather an Ex-Prime Minister Mr. Lumumba, was captured, beaten, disfigured, and the United Nations did not even have the authority to send a doctor to see

55. Nehru's Statement in *Lok Sabha Debates*, Vol. XLIX, No. 21, 12 December 1960, Cols. 5054-5055.

56. *Foreign Affairs Records*, Vol. VII, No. 4, April, 1961, p. 91.

57. *UN Review*, Vol. VIII, No. 2, February 1961, p. 7.

58. Theoretically also the UN could not plead the principle of non-intervention because, firstly, the Congo had invited the UN to intervene, and secondly, the matter was not simply internal, but a genuine threat to international peace and security.

59. *Rajya Sabha Debates*, Vol. XXXI, No. 11, 12 December 1960, Col. 1604.

him." In matters like this where intervention was required for protection, etc., often they did not intervene, though, when there was a threat, a very unwise and wrong threat in Stanleyville that the heads of Belgians would be cut off if Mr. Lumumba was not released, they did intervene and rightly so." It is a fact, however, that in the Congolese situation non-intervention and political neutrality were never truly observed, for the ONUC could not always refrain from taking action to preserve human life and public property.

Because of the United Nations' ineffectiveness, a great deal of resentment arose among the Members of the United Nations, particularly among those who had sent forces to the Congo. Several of them even decided to withdraw their troops from the Congo;" because, as Mr. Nehru explained, they did not agree with the policy, or rather the absence of policy, that was pursued by the United Nations nor the passive inertness of the United Nations there." India was aware of the difficulties entailed by such a withdrawal of troops from the Congo, for though it was not happy with the United Nations' record in the Congo, it felt that its presence was perhaps a lesser evil; for a withdrawal of the UN Force would open the door to civil strife and further foreign intervention, and would, in fact, be an act of despair and a confession of defeat causing serious damage."

After the assassination of Mr. Lumumba, the Indian attitude to the United Nations was even more critical. The murder of Lumumba and others in Katanga was considered an international crime of the first order and "it will be difficult for India to associate with policies which permit the perpetrators of these crimes to continue their gangster methods" (Nehru)."

60. *Rajya Sabha Debates*, Vol. XXXI, No. 11, 12 December 1960, Col. 1604.

61. *Foreign Affairs Records*, Vol. VI, No. 12, December 1960, p. 369.

62. Ceylon, Guinea, Indonesia, the UAR and Yugoslavia withdrew their forces from the Congo during December 1961.

63. *Lok Sabha Debates*, Vol. I, No. 1, February 1961, Col. 134.

64. *Ibid.*, Col. 134.

65. *Foreign Affairs Records*, Vol. VII, No. 2, February 1961, p. 49.

and order and the United Nations mission is sitting there almost passively and sometimes things happen before its eyes which are highly objectionable".⁵⁵ In short, the policies pursued by the United Nations till then in the Congo appeared to be a complete failure. But the United Nations could not accept failure in the Congo for as Krishna Menon very rightly said: "if the United Nations fails in the Congo, it fails in Africa—it fails in the world and that takes us nearer to a situation of a threat to international peace and security".⁵⁶

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60. *Rajya Sabha Debates*, Vol. XXXI, No. 11, 12 December 1960, Col. 1604.

61. *Foreign Affairs Records*, Vol. VI, No. 12, December 1960, p. 360.

62. Ceylon, Guinea, Indonesia, the UAE and Yugoslavia withdrew their force from the Congo during December 1961.

63. *Lok Sabha Debates*, Vol. I, No. 1, February 1961, Col. 134.

64. *Ibid.*, Col. 134.

65. *Foreign Affairs Records*, Vol. VII, No. 2, February 1961, p. 40.

Yet in spite of anger and great resentment over all that had happened in the Congo, India earnestly wished to find a peaceful solution to the issue instead of taking action which would create more difficulties. It urged the Security Council to come to firm decisions and give a fresh mandate so that United Nations' authority could function there effectively and strongly, if necessary, even use armed force in order to establish a united, independent sovereign republic and not merely look on as others use armed force for wrong purposes. To this end India was even ready to reply positively to the request of the Secretary General for combat troops.⁶⁶

The solution, for India, would be the logical outcome of the disappearance from the scene of the Belgians and the disarming and bringing under control of the Congolese army. These would provide the necessary conditions for the convening of the Parliament which, itself, should seek the answer to its problem.

(iv) *Rajeshwar Dayal Becomes a UN Representative*

Mr. R. Dayal⁶⁷ was asked by the UN Secretary General in September 1960 to serve as his special representative in the Congo. His revealing and objective reports to the United Nations and his impartial activities embittered the Government of the Congo and some Great Powers, for his reports revealed a state of disorder and showed how these various authorities functioned and quarrelled, and also how the Belgians continued

66. *Lok Sabha Debates*, Vol. LI, No. 15, 6 March 1961, Cols. 3234-3235.

67. R. Dayal born in 1909; educated at Oxford; joined Foreign Office, Diplomat; first came to UN in 1950, as Minister in the Indian delegation and sat as its alternate representative in the Security Council; in 1952 appointed head of the Indian delegation at the United Nations; Member, UN Commission for Relief and Rehabilitation; in 1958, asked by Secretary General to serve as UN Observer in Lebanon; served as Indian Ambassador in Yugoslavia and High Commissioner in Pakistan; Since August 21, 1961, Foreign Secretary, Ministry of External Affairs, Government of India; personal representative to Secretary General of UN in the Congo, September 1960 to May 1961; at present Chairman of the UN Committee on Elimination of Racial Discrimination (*International Who's Who*, 1970-1971).

to return and make still more trouble in the Congo, etc. Moreover, the Congolese distrusted India's firm and independent approach to the issue which is why they thought of that "Dayal as an Indian, who under the guise of a UN official was in reality promoting the aims of Nehru".⁶⁸ As a result of this, President Kasavubu repeatedly asked the Secretary General for the removal of Dayal as representative of the Secretary General. He even threatened to break off co-operation with the United Nations if Mr. Dayal who was described by Mr. Kasavubu as 'persona non grata' returned. Cyrille Adoula, the Prime Minister, also asked the Secretary General for this and other changes in the UN personnel in the Congo.⁶⁹

It was suggested that Mr. Dayal had proved his inability to get along with the Congolese President Kasavubu and that his insistence on following a policy of strict neutrality was likely to hamper the hope of certain powers to play a dominant role in the Congo and that this was at the basis of the Kasavubu-Dayal antipathy.⁷⁰ Public criticism was loud against Dayal and an influential newspaper even stated that the central issue in the Congo was no longer the Belgians, employed by all leaders as technicians and advisers, but rather the UN representative, Mr. Dayal of India.⁷¹

There were reports that the Americans and British also criticised Mr. Dayal, stating that he was a friend of Antoine Gizenga's regime in Stanleyville which claimed to be the rightful Government in succession to Mr. Lumumba's cabinet.⁷² This criticism was also based on India's strong stand against the ineffectiveness of the Great Powers in the Congo crisis. This caused Prime Minister Nehru to openly accuse the British and United States' Ambassadors of obstructing Mr. Dayal in his work. He observed that "we had no high opinion of either

68. Gordon, J. King, *UN in the Congo*, op. cit., p. 24.

69. *The Times*, 20 September 1960.

70. *The Hindustan Times*, 25 May 1961.

71. Quoted in *Foreign Affairs Records*, Vol. VII, No. 4, April 1961, p. 101.

72. *The Hindu*, 24 May 1961.

of them, that they had engaged in a most deplorable activity—and this was recognized when their two Governments withdrew them".

The Government of India was very much concerned by the resignation of R. Dayal who in his explanation declared: "I was neither sacked nor advised to resign. I myself decided to withdraw from the Congo in the best interests of the Congo and the United Nations". This was confirmed by Secretary General Hammarskjöld's words, "I have already said that Dayal's very great ability has been met only by his loyalty to the United Nations' purposes and his extra-ordinary personal integrity.....you can well understand how much I regret losing this invaluable collaborator.....and how anxious I am to put on record my great feeling of gratitude".

(v) *Katanga's Secession*

In a Press Conference in London Secretary General U Thant observed that the problem of the Congo was that of Katanga. India had taken very energetic measures to end its secession. To this effect India had sent a large number of combat troops, a full brigade strength, to serve in the Congo under the United Nations.

Tshombe, however, did not like India's intervention in Katanga and angrily declared: 'the landing of Indian troops is tantamount to a declaration of war'. He added: "I know that the UN is trying to seize me and my Government.....But that does not matter to the UN, for it is only a matter of killing 'negroes' in order perhaps to make room later for Asian colonization.....incidentally, no one knows the exact details about possible secret agreements between the USA, the USSR and Nehru promoting the last-named that he will be able to unload

73. *Daily Telegraph*, 24 August 1961.

74. *The Hindu*, 20 June 1961.

75. *Ibid.*

76. *Lok Sabha Debates*, Vol. LVI, No. 7, August, 1961, Col. 2273.

77. *Lok Sabha Debates*, Vol. LII, No. 22, March 1961, Col. 6963.

his surplus on Africa".⁷⁸ India replied, "we have no desire to intrude in any way into their affairs. We have no ulterior motives in going to Africa, but to serve them for the cause of peace".⁷⁹

After the secession of Katanga had been brought to an end, when the Congo was finally unified and the UN operation was terminated, Prime Minister Nehru congratulated the Secretary General and the UN organization in the Congo on their success, praised the conception and execution of the military operation which had brought this about and went on to say "the UN has played a historic role in the Congo, whose independence it has helped to maintain and whose integrity it has now secured".⁸⁰

(B) *Indian Parliamentary Position towards ONUC*

Although Indian Parliamentarians closely followed and accepted the Government's decision on the Congo, there were certain points on which they were unwilling to accept any compromise. One of the most discussed points was the Congolese Parliament. They insisted that it should be convened for the proper functioning of the Government as there were three Governments claiming to be the legal one. According to Indian statesmen, after President Kasavubu had illegally dismissed Mr. Lumumba, the legal Prime Minister in their eyes, there was no legal Government. But India could accept only two legal authorities, the President and Parliament; Mr. Krishna Menon expressed the Indian opinion when he said that India accepted Mr. Kasavubu as President, but it was one thing to say that a President was the constitutional head and quite another to say that everything he did was constitutional;⁸¹ or, as he put it on another occasion, there is a difference between status and function. According to the Congolese constitution, the President of the Congo is a constitutional President, he is a

78. *UN Review*, Vol. IX, No. 1, January 1962, p. 46.

79. *Foreign Affairs Records*, Vol. VII, No. 4, April 1961, p. 102.

80. *Foreign Affairs Records*, Vol. IX, No. 1, January 1963, p. 16.

81. *Foreign Affairs Records*, Vol. VII, No. 4, April 1961, p. 96.

constitutional head like the King of England. He is a symbol in the context of the fundamental law of the Congo, which means that he must have the advice of ministers and in the Parliamentary system, a minister cannot function without Parliament.⁸² This is why Indian Parliamentarians insisted that the United Nations ought to be a mediator to reconcile and to help in the proper functioning of the Central Government.

There was strong resentment among the different political parties in the Parliament over 'anti-Indian propaganda' in the Congo. When Mr. Dayal resigned from his post as the Secretary General's special representative to the Congo, these different political parties urged the Government of India to reconsider its policy and even the advisability of keeping their fighting forces there.⁸³ Later, they were grieved to note the rough and unfriendly treatment of the Congolese soldiery towards Indian personnel. Anger and indignation filled members of all parties in the Lok Sabha, when they heard the news of the latest Congolese attack on Indian soldiers. One of the Parliamentarians criticized the Indian attitude and asked, "will our troops continue indefinitely as long as the stalemate in the Congo continues?"⁸⁴ Some others criticized the Government, saying that it had failed to take effective measures through the UN to prevent such outrages by the Congolese soldiers.⁸⁵ Because of this, when Indian forces were needed on the borders with China, the borders of Pakistan, in Nagaland and later around Goa, members of Parliament insisted that the Government should recall its forces from the Congo, even though India had enough troops to spare one battalion for the Congo.

(C) *The Press and Public Opinion on ONUC*

(i) *The Great Powers should Join with the UN to Settle the Congo Problem*

The Indians could not understand how Great Powers⁸⁶ like

82. *The Hindu*, 12 November 1960.

83. *The Times*, 4 April 1961.

84. *The Hindu*, 9 August 1962.

85. *The Hindu*, 25 November 1960.

86. Apart from the Belgians, there were also other Great Powers
(Continued on next page)

the US could do nothing to discourage the Belgians. 'The Hindu' on 20 September 1961 pointed out that "if the United Nations during all these months has not been able to restore normality and unity in the Congo, it has been because the Great Powers have been active below the surface in fostering the forces of separatism and in the creation of puppets". It was also noted that this failure of the Great Powers in the Security Council led to the incapacitation of the Council in the Congo."

After the ONUC was formed there was still no settlement, in view of its passivity and ineffectiveness, and the Indian Press had its suspicion that the United Nations would become a partner to Imperialism. There was the fear that the United Nations and the Western Powers by direct intervention were preparing to bring about the fall of the Republican Government of the Congo and the rise of Mobutu's regime. The kidnapping of Lumumba and his supporters by Mobutu's troops took place before the eyes of the UN Forces.

There was also a strong conviction in Indian minds that the Great Powers were not innocent even in the Secretary General's death. 'The Hindu' of 20 September 1961 reported a strong suspicion that Mr. Hammarskjöld's aircraft was deliberately shot down by a Katanga plane and said that if this were proved to be true then Britain could not escape a full share in responsibility for the crime. The death of the Secretary General, then.

to persuade Sir Roy to stop supplying arms to Mr. Tshombe".⁸⁹ This went so far as to lead to demands in the Indian press that if this "calculated political pantomime"....were not stopped India should withdraw from the Commonwealth.⁹⁰

(ii) *Anti-Indian Propaganda*

India's main objective in the Congo was to help the Congolese overcome lawlessness and disorder. So the Indian press and public opinion were surprised to hear calumnious words against Indian personnel in the Congo. This Congolese hatred of Indians seems to have been based on India's firm stand and support for the real legal Government constituted under Parliament with Lumumba as its Prime Minister, and the Congolese mistrust of Mr. R. Dayal's objective view on the Congo problem. The result was considerable ill-treatment of Indian personnel even before India sent combat troops, and the Indian press had warned that "If our combat troops should also be subjected to the humiliating treatment to which other Indian personnel has had to submit with unparalleled patience in the Congo, public opinion would react sharply to it".⁹¹

After Lumumba's death, leaders of the Congolese Central Government suspected India of supporting the rival regime of Antoine Gizenga in Stanleyville⁹² and the Congolese press concluded that the Indians were following the policy of Russia and that Nehru was a Communist.⁹³

After the Indian troops had landed in the Congo the Congolese Governmental authorities and press spoke out against them. An important newspaper reported that Mr. Kasavubu had even personally made known his Government's objection to the Indian forces landing in the Congo. Their arrival was qualified as an 'invasion'.⁹⁴ Another report said that the land-

89. *The Hindu*, 4 January 1962.

90. *The Hindu*, 20 February 1961.

91. *The Hindu*, 26 January 1961.

92. *Foreign Affairs Records*, Vol. VII, No. 4, April 1961, p. 100.

93. *The Hindu*, 30 October 1963.

94. *Foreign Affairs Records*, Vol. VII, No. 4, April 1961, p. 101.

ing of Indian troops in the Congo was to establish Indian colonialism there. Indian troops were the forerunners of the arrival of 200,000 Indian immigrants in Congo according to another Congolese newspaper.⁹⁵ Further there was also the report that "the Congo is now the object of Indian greed".⁹⁶

In spite of anger and resentment against all these reports, India did its duty very well in the ONUC.

(D) *Military Involvement*

To implement the Security Council's resolution of 14 July 1960, the Secretary General requested of several countries military aid to co-operate and help the Central Government of the Republic of the Congo. India replied positively to this request.

The first to leave for service in the Congo was an administrative unit of the Indian Army to provide logistic support to the UN Forces. This consisted of personnel for the headquarters of ONUC, a provost section, supply units including an air dispatch section, signal units, the field post offices and personnel of the Army Medical Services,⁹⁷ including officers of the army nursing services and a lady welfare officer, under the command of Lt. Col. Bannerjee of the Army Medical Services.⁹⁸

As the Indian objective was a peaceful settlement rather than a military intervention in this issue, at first India did not send any combat troops to the Congo. Mr. Krishna Menon expressed the Indian view-point when he said that the United Nations should have tried other means of settlement in the Congo before sending troops, he was convinced that "with high level and consistent negotiations and persistent work....it should have been possible to create a different situation in the Congo".⁹⁹

95. *The Hindu*, 12 March 1961.

96. *The Daily Telegraph*, 17 March 1961.

97. The Indian Medical Services took everything needed for a 400 bed hospital.

98. *Indian Armed Forces Year Book*, 1961-1962, p. 902.

99. Brecher, *India and World Politics*, op. cit., pp. 98, 100.

After the Security Council resolution of 21 February 1961, nevertheless, India also sent troops, "because the United Nations had got itself into a mess", and it did not "want to see Tshombe succeed".¹⁰⁰ However, the Government of India clearly stated the conditions under which it was sending its troops:

- (i) Indian troops could not be used "to fight troops or nationals of other Member States of the United Nations" except "Congolese armed units and Belgian and other military and para-military personnel and mercenaries in the Congo, if necessity arises and if so authorized by the United Nations".
- (ii) Indian armed forces could not be used "for the suppression of popular movements or in any way in support of parties or factions that were challenging United Nations' authorities".
- (iii) The Indian Brigade should remain under the Command of Indian officers and should not be broken up and "mixed with other United Nations armed contingents".¹⁰¹

The bulk of the airlifts of Indian troops for the Congo was started on March 14 1961, and by 4 April 1961, about 1,700 troops had been transported. The main body of the force sailed by the United Nations' chartered troop-ship "General R. M. Blatchford" on April 1 1961. The last batch of the contingent sailed on board the United States naval ship "General Levoy Eltinge" on April 12 1961. The entire force was drawn from three infantry battalions of Gurkhas, Jats, Dogras and other ancillary units.¹⁰² This first Indian Brigade of combat troops was commanded by Brigadier K. A. S. Raja.¹⁰³ Later

100. Brecher, *India and World Politics*, op. cit., p. 97.

101. *UN Review*, Vol. VIII, No. 4, April, 1961, p. 13.

102. *Indian Armed Forces Year Book*, 1961-1962, pp. 902-903. As of October 1961, the Indian personnel totalled 5,668; Air-force officers 29, Airmen 93, Army officers 191, JCO 178 and OR 5,177.

103. Brigadier K. A. S. Raja was appointed Military Commander of the UN Force in the Katanga area. Formerly of the Madras Regiment, he had been in Burma, Jammu and Kashmir area, East Pakistan border, Hyderabad and the Punjab. (*The Hindu*, 7 March 1961).

in October 1961 at the request of the United Nations six Canberra aircraft with the necessary personnel and spares and two air-control teams were dispatched to the Congo.¹⁰⁴

In 1962 the above force was replaced by the fourth battalion of the Madras Regiment, the fourth battalion of Rajputana Rifles, and the second battalion of the fifth Gurkha Rifles, which were among the most renowned units of the Indian army¹⁰⁵ under the Command of Brigadier General Reginald S. Noronha.¹⁰⁶

The Indian troops under Major General D. Prem Chand of India, General Officer commanding the UN Force in the Katanga area, and Brigadier Noronha, Commander of the ONUC at Elizabethville section and of the India's Independent Brigade group, had taken firm action in Katanga against resistance to the freedom of movement of the ONUC and had helped to maintain law and order throughout the Congo. The Indian troops took a bold part in those actions which came under the order of 'Morthor'.¹⁰⁷ The last place the Indian troops entered before the end of secession was Kolwezi which was the stronghold of

104. *Lok Sabha Debates*, Vol. LXII, No. 13, March 1962, Cols. 2393-2394.

105. (i) Fourth Battalion Madras: its origin dates back to 1758; served very actively in World War I, in Mesopotamia and East Africa; during World War II, served throughout the Burma campaign.

(ii) Fourth Battalion Rajputana Rifles: raised in 1821 from Peshwar State Forces; during World War I, served in the Middle East and Europe, during World War II, fought in many battles in North Africa and Italy.

(iii) Second Battalion of the fifth Gurkha Rifles: raised in 1866 at Abbottabad, during World War I, it fought in Gallipoli and Mesopotamia; in World War II, won great fame in Burma and was highly decorated; in post war years formed part of the Commonwealth occupation forces in Japan. (*Indian Armed Year Book*, 1961-1962, pp. 902-903).

106. Brigadier Noronha, born in 1917 in Quilon, Kerala; joined the army, 1941; after the war, posted to Tokyo in 1946 as Brigade Major with the Indian Brigade; also served in the Kashmir crisis with distinction; later appointed Officiating Director of military operations at Army Headquarters; April 1961, became Colonel of the Regiment when he succeeded General Srinagob; later elected Chief of Army Staff. (*The Hindu*, 10 January, 1963).

107. 'Morthor' is a Hindi word which means to wipe out, to destroy, to smash.

the gendarmerie and mercenaries of Tshombe, as well of the Katangese main military force.

The Indian Air Force contingent had an important role to play; apart from air lifting¹⁰⁸ civil personnel, troops and equipment, it had the task of transporting civil supplies and relief missions with food and medicines to areas in distress. Above all, Air Commodore Jagadish Chura Varma of India assumed the duties of Air Commander of the United Nations Operation in the Congo from September 1962.

The Indian forces did not go unscathed in the Congo. From December 1960 to December 1962, out of a total death roll of 235, 36 were Indians; there were also 124 Indians wounded during this period.¹⁰⁹

As India urgently needed to defend the integrity of its frontiers, the bulk of Indian troops had been withdrawn by March 1964. The Indian troops had been highly appreciated by the ONUC authorities for their discipline and steadfastness in their objectives. The words of the Prime Minister of the Congo in a message to the President of India, "In the name of the Congolese people, its President and my Government I would like to express to you our gratitude for the assistance, both efficacious and disinterested which the sons of your country brought to us....let these valiant men themselves be interpreters of our sentiments towards your noble people....their entry into Jadotville marked in effect the total re-establishment of the territorial integrity of our country"¹¹⁰ show how the Congolese attitude toward the Indian troops had changed in the course of the operation.

108. The main air-lift for the Congo operation was provided by Argentina, Brazil, Ethiopia, India, Norway, Sweden and Yugoslavia. Main support units were provided by India, Pakistan, Canada, Denmark, Norway, Sweden, Liberia, the Netherlands. (*UN Review*, Vol. VII, No. 3, September 1960, p. 8).

109. Figures from Lok Sabha Debates, Vol. I, No. 6, April 1962, Col. 446; *UN Review*, Vol. X, No. 1, January 1963, p. 64; *Sunday Standard*, 19 October 1963.

110. Quoted in *The Hindu*, 11 November 1963.

(E) *Civilian Operation in the Congo*

The entire country was on the verge of collapse after independence and a civilian operation was essential to undertake the necessary humanitarian tasks. On 14 July 1960 the Security Council asked the United States, the USSR, the UK, Italy and India for food and transport.¹¹¹ The Government of India at once replied to the request of the Secretary General for a civilian operation in the Congo and supplied 1,000 tons of wheat. It was a humanitarian consideration, for although India had difficulties in supplying its own needs, it wished to help in the UN operation.¹¹²

India also participated in those UN specialized agencies which played a big role in the United Nations aid programme such as the International Telecommunication Union (ITU), International Civil Aviation Organization (ICAO), World Meteorological Organization (WMO), the World Health Organization (WHO) (which shipped one million doses of vaccine to South Kasai to combat a small-pox outbreak which followed famine), United Nations Children's Fund (UNICEF) (which contributed over half a million \$ for relief), the International Labour Organization (ILO) (which helped to draft social security legislation) and United Nations Educational, Scientific and Cultural Organization (UNESCO) (which helped to start the Congo's first training programme for Secondary School teachers).¹¹³

The financial aspect was not neglected. Out of 200 million dollars of UN bonds, India bought two million¹¹⁴ and for this particular operation India fully paid up the amount it had volunteered to contribute.

Conclusion

India was one of those countries which closely participated

111. Tondel, *op. cit.*, p. 16.

112. Lok Sabha Debates, Vol. XLVIII, No. 11, November 1960, Cols. 2535-2536.

113. Tondel, *op. cit.*, p. 45.

114. Rajya Sabha Debates, Vol. XXXVII, No. 7, March 1962, Col. 787.

in the Congo operation politically and materially, and one of its major actions to further a settlement of the Congo crisis was its strong stand against Belgian colonialism both before and after independence. Another point which India stressed was the importance of the country's integrity. There was but one Congo under the Belgians and there should only be one after independence. So secession was an obstacle to the country's political and economic stability.

To help in implementing the Security Council's resolutions, India sent a large military contingent to assist the Republic of the Congo in securing normality. No doubt, India's action in furnishing the strongest combat troops could be said to have been instrumental in ensuring the success of the Congo operation.

So far, the Congo operation has been the largest and costliest of all the United Nations operation for maintaining peace and security. The United Nations had spent a total of \$ 433,050,015 out of which \$ 381,505,000 were used for military operation.¹¹⁵ The settlement of the financial problem was no easy matter. Some countries were unable to pay their share, the USSR, France and others, for political reasons, did not wish to pay, claiming the UN operation in the Congo to be illegal. The Government of India, however, believed that irrespective of the interpretations of Article 17 para 2 of the UN Charter, all Member States have collective responsibility for meeting the costs of these peace-keeping operations and should bear their share of it.

There is no doubt that after so much toil and sacrifice United Nations did successfully achieve the objectives it stood for; the UN operation in the Congo opened a new chapter in the history of the Congo by maintaining its political independence and territorial integrity; it also opened up a clearer view of future UN activities for peace and security in the world.

115. *The New York Times*, 1 July 1964.

CHAPTER VI

India and the United Nations Peace-Keeping Operation in Cyprus

I. CYPRUS IN CONFLICT*

During December 1963, disputes between Greek Cypriots and Turkish Cypriots¹ of the Island eventually led to armed conflict. The violence and the awakening of new political ideals can be analysed under two headings:

(a) Remote Causes

The present dispute is but one episode in a long and bloody struggle between Greek Christians and Turkish Muslims in the Near East which began in the Middle ages. The origin of the Turkish community in the Island dates from when they conquered it in 1571, but except for a brief period in the XVIII century they were always in a minority.²

*For details see: Karnosmanoglu, Ali L.: *Les Actions Militaires coercitives et non-coercitives des Nations Unies* (Geneva: E. Droz, 1970); Stephens, R.: *Cyprus: A Place of Arms*, (London: Pall Mall Press, 1966); Stegenga, James, A.: *The UN Force in Cyprus*, (Ohio: Ohio State University Press, 1963).

1 Cyprus is one of the three largest islands in the Mediterranean, the others being Sicily and Sardinia. In 1960, there were 442,521 Greek Cypriots, 104,750 Turkish Cypriots, 20,955 British, 3,628 Armenians, 2,702 Maronites and 3,454 others, in an area of 9,251 sq. km.

2. From 1771 to 1821 the population was 47,000 Turks and 37,000 Greeks. At present 80 per cent of the people are Greek Orthodox Christians by religion, about 18 per cent are Turkish Muslims. (Psomiades, H.: "The Cyprus Dispute", *Current History*, No. 245, May 1965, p. 269).

future of the island, as the balance of power in the area was of intense interest to the US, the USSR and the UK and to many other states in Europe and the Middle East.

In January 1959, the Prime Ministers of Greece and Turkey met in Zurich, later in London, to discuss the feasibility of independence. The result, on 11 February 1959, was an agreement on the structure of a new state, in order:

- (i) to eliminate the principal source of conflict 'Enosis' and 'Taksim' (partition),
- (ii) to provide guarantees for the rights of the Turkish minority,
- (iii) to back the constitutional provisions with the solid guarantee of the UK, Greece and Turkey.⁷

Although Archbishop Makarios did not like many clauses of these agreements, he was forced to accept them because he felt that if he did not sign, partition would follow. Cyprus would be divided as a colony and there would be no possibility of raising the question again.⁸

On 16th August 1960 Cyprus became independent, as agreed in the Round Table Conference, and on 12th December 1960, a Treaty of Guarantee between Cyprus, Greece, the UK and Turkey recognized and guaranteed the independence, territorial integrity and security of Cyprus. It also provided for the right of military intervention for the purpose of re-establishing the state of affairs created in the London and Zurich agreement. A Treaty of Alliance was also signed on 12 June 1961 between Cyprus, Greece and Turkey, allowing them to station contingents of their own national armed forces in Cyprus.⁹ Thus a tri-partite military headquarters was established. In spite of all these military and political measures there was continual dispute between the two Cypriot communities;

7 Gordon, J. King: "The UN in Cyprus", *International Journal*, Vol. XVIII, No. 3, Summer 1964, p. 329.

8. Stephens, *op. cit.*, p. 166.

9. Papadopoulos, A. N.: *Peace-Making and Peace-Keeping by the UN, Cyprus a case study* (Nicosia: 1969), p. 30.

the 'Enosis' and 'Taksim' being the two conflicting proposals of the Greek Cypriots and the Turkish Cypriots respectively which were the cause of riots and violence in the country.

(b) *Immediate Causes*

The immediate causes of the violent conflict were certain clauses of the Constitution. So, to create a unified independent Cyprus, President Makarios on 30 November 1963 proposed certain amendments to the Constitution (in 13 points) to the Vice-President, Turkish Cypriot leader Dr. Mustafa Fazil Kutluk saying "one of the consequences of the difficulties created by certain constitutional provisions is to prevent the Greeks and Turks of Cyprus from co-operation in a spirit of understanding and friendship, to undermine the relation between them and cause them to draw further apart instead of closer together, to the detriment of the well-being of the people of Cyprus as a whole".¹⁰ These points were basically aimed at abolishing many of the provisions for separate communal institutions or rights and creating an integrated unitary state with some limited guarantees for the Turkish community.¹¹ Reaction to this from Turkish Cypriots and the Government of Turkey was immediate and adverse. Violence broke out on 21 December 1963. Neither of the two parties would yield, the Greek Cypriots insisted on majority rule and claimed that the Treaty of Guarantee did not give Turkey the right of military intervention in Cyprus without the permission of the Government of Cyprus, while the Turkish Government insisted that it had the right to intervene militarily and that the constitution could not be amended without Turkish approval.¹² Although the conflict was essentially domestic, because the Treaty of Guarantee involved Greece, Turkey and the UK it had international overtones.

10. *Cyprus—a problem in perspective* (Newspaper Public Information Office, 1964), p. 9.

11. Stephens, *op. cit.*, p. 189.

12. Parniades, *op. cit.*, p. 275.

II. UNITED NATIONS FORCE IN CYPRUS (UNFICYP)

Since law and order were breaking down the Cyprus question was brought before the United Nations on 26 December 1963 by the permanent representative of Cyprus to the United Nations, Mr. Zenon Rossides, who described the Turkish acts as aggression and intervention in the internal affairs of Cyprus by the threat and use of force against its territorial integrity and political independence, thus bringing Cyprus near to chaos. The result was that the Greek troops moved into Nicosia to defend Greek Cypriots. The confrontation between Greeks and Turks was obviously grave and had threatening consequences to international peace.

The Security Council having considered the Cyprus issue recommended the Guarantor States (Greece, Turkey and the UK) to try to maintain law and order there as a first step to a solution. But they proved incapable of securing a cease-fire and of restoring peace in that area. In the meantime, Secretary General U Thant appointed Lt. General P. S. Gyani of India, the UNEF Commander, to act as his personal representative and keep an eye on developments in Cyprus. He also appointed Jose Role-Bennet, a senior UN Secretariat member, to represent him as observer at the London Conference of the four. The Conference recommended an increased joint peace-keeping force of North Atlantic Treaty Organization (NATO) Member States, but as President Makarios insisted on the use of a United Nations rather than a 'NATO Force', the Conference ended in failure.

In view of the failure of this attempt to maintain peace in Cyprus, on 15 February 1964 the UK called for an early meeting of the Security Council to consider the Cyprus issue, claiming:

- (i) the inability of the Government of Cyprus to agree to the international peace-keeping force proposed on 31 January 1964 by the UK, and
- (ii) the serious deterioration of the security situation in the Island, especially in Limassol.¹²

The Security Council having carefully analysed the whole question adopted a resolution on 4 March 1964 in the following terms:

"The Security Council,

Noting that the present situation with regard to Cyprus is likely to threaten international peace and security and may further deteriorate unless additional measures are promptly taken to maintain peace and to seek out a durable solution.

.....

4. Recommends the creation, with the consent of the Government of Cyprus, of a UN Peace-Keeping Force in Cyprus.....¹⁴

The UNFICYP eventually became operative on 27 March 1964 under the Command of General P. S. Gyani. The delay between March 4 and March 27 was due to the fact that the Secretary General was restricted in his choice of contributing countries, as it was necessary to have the consent of Cyprus, Greece, Turkey and the UK, and they were exigent in the selection of countries. The Government of Turkey, for example, was opposed to African participation in the UN Force, for apparently they were afraid of a second Katanga solution, this time, of course, against the interests of the Turkish community in Cyprus. Secondly, the financial burden prevented some states from participating, as the national contingent was to bear its own costs.

When UNFICYP did commence operation, it was faced with a situation in which law and order had broken down, violence and shooting incidents were frequent, governmental services and economic activities were impeded and, moreover, the threat of hostilities expanding beyond the island of Cyprus was also present.¹⁵ The objectives of the Force were three:

- (i) to prevent a recurrence of fighting,

14. UN SC Res. 186, 4 March 1964.

15. Boyd, J. M.: "Cyprus: Episode in Peace-Keeping", *International Organisation*, Vol. XX, No. 1, Winter 1966, p. 11.

(ii) to contribute to the restoration and maintenance of law and order, and

(iii) to contribute to a return to normal conditions.

The initial and immediate task of the Force was to contain the violence and attempt to pacify all involved. General Gyani intended to attain these objectives by considerable efforts, to prevent violence by persuasion or by negotiation, in the hope that it would never be necessary to resort to force."

The guiding principles of the Force were more or less the same as those of other UN Forces. The Force would be under the exclusive control and command of the United Nations at all times, its commander would be appointed by the Secretary General and it would operate in an impartial manner and act strictly in accordance with the provisions of the Security Council resolution, using force only for the defence of UN posts, premises and vehicles under armed attack and in support of other UNFICYP personnel under armed attack."

The resolution of 4 March 1964 called for the Secretary General to appoint a mediator in agreement with the Government of Cyprus and the Governments of Greece, Turkey and the UK. The position of the mediator has a certain strategical importance in the Cyprus issue, as he was supposed to collaborate with the United Nations, with the representatives of the Cyprus communities and with the four Governments concerned, to promote a peaceful solution and an agreed settlement of the problem. Although the Secretary General proposed Mr. Jose Rolz-Bennet,¹⁶ the host country did not give its consent to

16. *The Hindustan Times*, 29 March 1964.

17. UN Doc. S/5653, 10 April 1964.

18. Mr. Jose Rolz-Bennet, Deputy Chief of Cabinet, was the representative of the Secretary General at the London Conference of January 1964 on Cyprus; was the Secretary General's personal representative in September 1962 in the territory of West New Guinea to make the preliminary arrangements for the transfer of administration to UNTEA and later as a Temporary Administrator; from January to June 1962 served in ONUC as its representative in Katanga; prior to going to the Secretariat in 1950, Mr. Bennet served as a permanent representative of Guatemala to the United Nations with the rank of Amba-

this proposal and the appointment went to Mr. Sakari S. Tuomioja¹ as UN Mediator. After a short period, on 9th September 1964, Mr Tuomioja died, and his place was taken by Mr. Galo Plaza, the former President of Ecuador.²⁰

The United Nations Civil Police (UNCIVPOL)²¹ was also established on 16 September 1965 to provide the necessary conditions for the return of law and order. The main duties of these police elements were to establish liaison with the Cypriot police and to accompany Cypriot police patrols in their controls on vehicles at police check points. It was a great help to have liaison with the local police.

The presence of the Force, the Police and the Mediator contributed high moral strength. Thus, generally speaking, with the exception of the two major engagements at S. Hilaris and in the Tylhiria area in 1964 and the Ayios-Theodoros Kopluos fighting in November 1967, the Force was fairly successful in preventing a recurrence of fighting. But a Force seems to be indispensable in the Island as tension rises and falls.

III. INDIA'S POLICY²²

(A) 'Enosis', 'Taksim' and India's Stand

Long years before Cyprus became independent, India had consistently advocated that there must be an end to British

(Continued from previous page)

sador; was dean of the Faculties of Humanities and Professor of the School of Law at the San Carlos University from 1945 to 1955 and Honorary Professor of Law both at the University of San Carlos and at the University of Costa Rica. (UN Doc. S/5593, 12 March 1964).

19. Prior to this assignment, Tuomioja was Minister of Commerce and Industry, Minister of Foreign Affairs, Finland; Prime Minister during 1950 to 1955; from 1957 to 1960 was Executive Secretary, UN Economic Commission for Europe; from 1959 to 1961 was special representative of the UN Secretary General in Laos; 1961—Ambassador to Sweden. (UN Doc. S/5625, 26 March 1964).

20. Prior to this assignment Galo Plaza had been Minister of National Defence 1938 to 1940; Ambassador to United States; President of the Republic of Ecuador 1948 to 1952; Chairman UNOGIL in 1958. (*International Who's Who* 1970-1971).

21. They were drawn from Australia (40), Austria (34), New Zealand (20), Sweden (40), and Denmark (30).

22. Refer to Foot-note 17, p. 133.

colonial rule in the Island. After the independence of Cyprus, India held that no action should be taken which might jeopardize the sovereignty, the political independence and the territorial integrity of Cyprus. But the conflict of December 1963, together with the deterioration in Cyprus, resulting from action taken by the Turkish Government in launching attacks against towns and villages saddened the Government of India and its people. As a result, India fully supported the appeal of the President of the Security Council to help in the restoration of amicable and peaceful conditions in Cyprus.²³

India believed that in order to safeguard peace and security not only in Cyprus but in the surrounding region, there should necessarily be a rapprochement between the majority and minority communities.²⁴ A minority certainly has its own rights, said the Indian statesmen, but it cannot stand in the way of effective rule by a majority. *If Cyprus is to continue as a separate entity, it is absolutely essential that the two communities should learn to feel a common sense of nationality. The minority would be wise to take some positive steps towards this goal.*²⁵

India was categorically against 'Taksim', because of its own experience. Indian statesmen felt that the people of Cyprus had long suffered from foreign interference which had curbed their sovereignty and independence and imposed the concept of partition. As the Indian delegate to the United Nations observed: "As we have all seen, partition only created new problems. We therefore support the Government of Cyprus in its efforts to maintain the unity of the State of Cyprus".²⁶ Partition, then, was a wrong approach to the Cyprus issue and therefore India advocated the independence of Cyprus in a framework which would guarantee the freedom, legitimate rights and security of the Turkish Cypriot community, and argued that it should have a cantonal system of Government as

23. SCOR, 22nd Year, 1362nd Mtg., 10 June 1967, paras. 36-39.

24. *Foreign Affairs Records*, Vol. XIV, No. 3, March 1968 p. 74.

25. *The Hindu*, 20 October 1965.

26. GAOR, 1358th Plc. Mtg., 12 October 1965, para. 47.

in Switzerland, as this would be much more suitable than partition²⁷

Nor did India favour 'Enosis' as it felt that this would prevent Cyprus from becoming a truly independent and non-aligned country. Indian politicians therefore declared that recently independent Cyprus should not be asked to give up its sovereignty, which is what acceptance of 'Enosis' would entail. This could be without any doubt the most divisive and potentially explosive aspect of the Cyprus problem, and so must be avoided if peace was to reign in the country.

(B) *India's General Attitude to the Problem*

India's general attitude to the Cyprus issue was summed up by the Cairo Non-Aligned Nations Conference in 1964: "Cyprus as an equal Member of the United Nations is entitled to and should enjoy unrestricted and unfettered sovereignty and independence, and allow its people to determine freely, and without any foreign intervention or interference, the political future of the country, in accordance with the Charter of the United Nations".²⁸ So the solution to this dispute and the protection of the political independence and territorial integrity of the state should be achieved through renunciation of the use of force and the establishment of peaceful relations with all countries. During the Non-Aligned States' Conferences and the Commonwealth Prime Ministers' meeting this same view of the Government of India could be observed. The Cairo Conference of October 1964, furthermore, called upon "all states in conformity with their obligations under the Charter of the United Nations and in particular under Article 2 para 4 to respect the sovereignty, unity, independence and territorial integrity of Cyprus",²⁹ and to refrain from intervention directed against Cyprus and from any threat or use of force against Cyprus and from any efforts to impose upon Cyprus an unjust

27. *The Hindu*, 17 April 1964.

28. *Foreign Policy of India, Texts of Documents, 1946-1964*, op. cit., p. 614.

29. Quoted in *Cyprus—the problem in perspective*, op. cit., p. 27.

solution unacceptable to the people of the country. The Lusaka Conference of Non-Aligned Countries in 1970 and the Commonwealth Prime Ministers' Conference of June 1965 and September 1966 had also reaffirmed their view that the Cyprus problem should be solved within the framework of the United Nations and its Charter and in accordance with the principles of democracy and justice and in conformity with the wishes of the people of Cyprus.³⁰

The Government of India repeatedly stressed the fact that the issue should be settled peacefully through direct negotiations between the parties concerned. In February 1957, the UN Political Committee debated the Cyprus question and adopted an Indian resolution in the United Nations which merely expressed the hope that negotiations would be resumed.³¹ Moreover, the Indian politicians emphasized that the people of the island should be allowed to determine freely the political future of the country. To this effect the Indian Union Government appealed to Turkey and Greece to observe the utmost restraint and take steps to prevent the outbreak of active hostilities over their difference in regard to Cyprus and urged them to co-operate with the United Nations. It was in this spirit that India joined the sponsors of the thirty-one power (Afro-Asian and Latin American countries) draft resolution which called for respect for the sovereignty, unity, independence and territorial integrity of Cyprus, free from all foreign intervention and interference, and recommended the continuation of the UN mediation work.³²

India did not see the possibility of an immediate solution to the Cyprus problem, and wished the United Nations to be provided with enough men and money to tackle its job successfully.

As far as a permanent solution is concerned, it must be acceptable to Greece, Turkey and not least, to Cyprus, which

30. *Foreign Affairs Reports*, Vol. XIX, No. 9-10-11, September-October-November 1970, p. 109.

31. Stephens, *op. cit.*, p. 150.

32. UN Doc. A/C.1/L.342, Rev. 2/add. 1-3, 2 December 1965.

has obviously begun to enjoy its status in international affairs as an independent entity, and this solution is not easy to find. The main question is, who is to settle the matter, Greece, Turkey or Britain? It seems that present relations between Makarios and Athens are not bright. The British, on the other hand, are not anxious to take up the burden again, nor are the Turks keen to accept responsibility for it. The efforts of the United Nations have also come to nought particularly because of the financial strain. A tentative idea was put forward that the Turks should accept the Greek proposals for local Government while the Greeks should agree to let in more Turkish troops so that the minority may feel more confident. In any case, it will be for the United Nations together with the peoples involved to strive toward a permanent agreement."

(C) *India's Involvement*

India did not supply troops for the UN Peace Force in Cyprus," but according to reliable sources, the Secretary General had asked B. N. Chakravarty, the Indian permanent representative to the United Nations, about the eventual possibility of sparing a contingent for the Force. It was reported that India had not refused categorically although it had its reserves."

The reasons why India 'de facto' did not send troops to Cyprus are various. There is no doubt that in view of the border conflicts with Pakistan and China, India was forced to restrict the sending of its force elsewhere. It is also likely that the financial situation was a handicap to the dispatch of Indian

33. *The Hindu*, 14 December 1969.

34. As of April 30, 1964, the total strength of Force in Cyprus was 6,341 out of which Austria 10, Canada 1,087, Finland 1,000, Ireland 636, Sweden 889, and UK 2,719. (*UN Monthly Chronicle*, Vol. I, No. 1, May 1964, p. 9). As of 10 December 1970, the strength of the military personnel was 2,969. (*UN Monthly Chronicle*, Vol. VIII, No. 1, January 1971, p. 21). The costs of UNFICYP were met by the parties in conflict, by participating countries and by voluntary contributions. It amounted, from 27 March 1964 to 15 December 1970, to some \$122,605,000. (*UN Monthly Chronicle*, Vol. VIII, No. 1, January 1971, p. 21).

35. *The Hindu*, 23 February 1964.

troops to Cyprus. It was the Secretary General himself who observed that some states would be more willing to supply contingents if they did not have to meet the extra financial burden called for by the cost-provision of the resolution.³⁶ There was a marked reluctance on the part of potential contributors to get caught in the firing between the forces of Cyprus and the Turkish Cypriots.³⁷

It was also rumoured that President Makarios would not have liked any colonised troops in Cyprus. However, it does not seem to be correct to apply this to India, for the general feeling in Cyprus was that Indian forces were renowned for their responsibility and impartiality and keen to contribute to peace in the troubled area. In this way an Indian contingent would be definitely useful in helping Cyprus to return to normality. Furthermore, it was Mr. Kyrianos Hadjian, the Cyprus Ambassador in Cairo, who stated that his country would receive with favour the participation of neutralist states such as the UAR and India in the search for a solution to the Cyprus crisis.³⁸ When the Cyprus Government heard that India would not participate in the Force it took the attitude that if the largest of Afro-Asian non-aligned countries was now going to say that because of its own pre-occupation or because of financial consideration it could not fall in with another country's wishes, then the Western criticism of Non-Alignment would be proved correct. This refusal would show that pacts and alliances do pay off because when the time for action comes Non-Alignment turns out to be just so much hot air.³⁹

Nevertheless, India sent an Indian Air Force Superconstellation for Cyprus with 15,000 lbs of medical supplies worth

36. The Security Council Resolution of 4 March 1964 provided under para 6 that all costs pertaining to the Force should be met in a manner to be agreed upon by them, by Governments providing the contingents and the Government of Cyprus.

37. Stegenga, J. A.: "UN Peace-Keeping: the Cyprus Venture", *Journal of Peace Research*, Vol. I, 1970, p. 3.

38. *The Hindustan Times*, February 11, 1964.

39. *The Statesman*, 28 February 1961.

Rs 2 lakhs" for the relief of Cypriot victims." Besides, there was a relatively large number of Indians participating in the UNFICYP Headquarters at Nicosia. This Headquarters had a 'politico-military' character, for there were military personnel as well as civilians. Civil personnel included political, economic and legal counsellors and their collaborators from Austria, Belgium, Canada, Ceylon, Chile, Colombia, Cuba, Czechoslovakia, the US, Egypt, Denmark, India, Ireland, Mexico, New Zealand, Norway, the Netherlands, the Philippines, the UK, Sweden, Switzerland and Thailand." It is also worth noting the services of the Indian Commanders in Cyprus. They were Lt.-Gen. P. S. Gyani (27 March 1964 to June 1964); Lt.-Gen. K. Gen. Dewan Prem Chand" (18 December 1969 to the present day).

Gen. Gyani has already been engaged on peace-keeping duties in Gaza and the Yemen. He assumed command when the Force was initially set up. His great ability and complete impartiality sought to make the Force effective in the discharge of its mandate. He continued to bear the dual load of commanding the Force and conducting negotiations on a variety of essentially non-military matters. A Greek Minister once stated that 'for us, Gyani means Honour'." In general the man was

40. 1 lakh—a hundred thousand.

41. *The Hindu*, 29 August 1964.

42. Stegenga, *The UN Force in Cyprus*, op. cit., p. 89.

43. Gen Prem Chand, born in Lahore, son of Dewan Khan Chand, founder of Lahore's model town; educated in Simla and Lahore; commissioned at age of 23 and after holding many regimental and staff appointments, in 1953, was given command of an Infantry Brigade; was Director of NCC (1955 to 1957); Director of Military Intelligence for two years; in 1959 appointed Brigadier General Staff of the Western Command and later became Chief of Staff with the rank of Major-General; July 1961 commanded the infantry division and was then appointed GOC of the UN Force in Katanga; on his return appointed to command an infantry division and then made Chief of Staff of the Eastern Command at Calcutta in September 1964; in 1966 appointed Director-General of NCC; in September 1967, retired. *Patriot*, New Delhi, 1 December 1969).

44. *The Statesman*, 27 March, 1964.

liked by both parties⁴⁵ except on very few occasions, for instance, when a few Turkish Cypriots doubted his impartiality, they shouted at him 'down with Gyani', 'assassin', 'next time he comes back we will kill him', etc."

On June 20, 1964, Gen. K. S. Thimayya was appointed Commander, replacing Gen. Gyani. But unfortunately, Gen. Thimayya died of a heart attack on 18 December 1965. The Secretary General said on his death that "Gen. Thimayya who was highly regarded for his military ability, wisdom, integrity above all his human qualities was a serious loss to the UN peace effort in Cyprus".⁴⁶

At present, UNFICYP is commanded by Gen. Prem Chand. His military knowledge and sense of responsibility as well as his continuous efforts towards a final solution in Cyprus were praised by many UN Members.

Conclusion

The problem of Cyprus is essentially that the two main racial elements of the population distrust each other and have yet to find a way to live together. But the problem involved in Cyprus is complex in the sense that it is not only a national threat to peace between these two communities but also an international threat. Moreover, it is not just a matter of 'Government Politics' but reaches down to the very roots of the people, for politics are found in every village square and on every street corner in Cyprus. And it is the people who must be consulted and must give their consent to any arrangements which involve their future. Hence peace-keeping operations based on armed force could never provide a solution, unless backed by peace-making operations.

Without any doubt its mere presence and policing activities have helped to achieve the primary and vital objective

45. In a personal interview, Gen. P. S. Gyani showed his satisfaction at the appreciation and co-operation received from both Greek and Turkish Cypriots in Cyprus for his activities.

46. *The Daily Telegraph*, 27 April 1964.

47. *UN Review*, Vol. II, No. 1, January 1966, p. 12.

CHAPTER VII

India and the UN Temporary Executive Authority (UNTEA) in West Irian

I. THE DUTCH-INDONESIAN DISPUTE OVER WEST IRIAN*

Indonesia is made up of many ethnic and regional groupings of nearly a hundred million people spread throughout 3,000 islands in an area equal in size to the whole of Europe from Ireland in the West to the Caspian Sea in the East. It became an independent Republic at the end of the Second World War on August 17, 1945, from the Dutch Colony. At the Round Table Conference which took place at the Hague from August 23 to November 2, 1949, a draft Charter of the Transfer of Sovereignty was accepted by both parties (the Netherlands and Indonesia).¹

The Round Table Conference, however, failed to agree on the status of one of the islands, West Irian.² So they came

*For details see: United Nations: *The UN in West New Guinea* (New York: 1963); Lijphart, A.: *The Trauma of Decolonization—the Dutch and West New Guinea* (New Haven: Yale University Press, 1966).

1. The Article 1 of the Charter says: "The Kingdom of the Netherlands unconditionally and irrevocably transfers complete sovereignty over Indonesia to the Republic of the United States of Indonesia and thereby recognizes the Republic of the United States of Indonesia as an independent and sovereign state".

2. West Irian or Irian Bharat was the denomination used by the
(Continued on next page)

to the conclusion that the 'status quo' of West Irian "shall be maintained with the stipulation that within a year from the date of transfer of sovereignty to the Republic of the United States of Indonesia (i.e., by 27 December 1950), the question of the political status of New Guinea will be determined through negotiation between the Republic of the United States of Indonesia and the Kingdom of the Netherlands".³

Thus West Irian had remained under the tutelage of the Netherlands at the time of transfer of sovereignty. There are different explanations offered as to why the Netherlands showed special consideration towards West Irian. Some explain this from the economic point of view, others from its strategical significance, and yet others instead from the psychological or from the political point of view. To the Dutch, says Lijphart, "New Guinea became the symbol of Holland's continued national grandeur, power and moral worth."⁴

In view of a peaceful settlement of the issue, since basically the Netherlands felt that they had the moral duty to prepare the inhabitants of West Irian, and Indonesia felt that negotiation should start from the premise that West Irian was already hers, there was a conference of Ministers of the two countries in Djakarta in March 1950 which appointed a commission to study the problem and to find an adequate solution. Later, since the commission's work was not progressing well and a solution still seemed far away, not only did negotiation become impossible but Indonesia even refused to be in contact

(Continued from previous page)

Indonesians; it means "a hot country". It was first used by Frans Kaisiepo at the Malino Conference in July 1946; whereas the Netherlands used the denomination West New Guinea. The area of West Irian is 412,781 sq. km. and population 732,000 (1962). The World's second largest island, Greenland being the first, was discovered by Spanish explorer, Ortez De Rites, in 1545. He named this land Nova Guinea because he thought that he saw a resemblance between the island inhabitants and those of African Guinea. The East India Company took the Dutch to the island 80 years later. After the Napoleonic wars, the Netherlands took over the company's interests and the first settlement was established in 1828. (*Pakistan Times*, 21 January 1962).

3. Quoted in *UN Review*, Vol. IX, No. 2, September 1962, p. 5.

4. Lijphart, *op. cit.*, p. 286.

with the Netherlands. There were also several bilateral negotiations of which the final one which started on 10 December 1955 in Geneva also concluded without any success. Attempts were made to introduce the question in the General Assembly of the United Nations. In 1958 the situation deteriorated further when Indonesia turned to other countries for armed assistance to settle this issue.

Towards the end of 1961 a clash between the Netherlands and Indonesian troops was fast becoming imminent and on 19 December 1961, the Acting Secretary General expressed his deep concern over the question and the sincere hope that the two countries would seek a peaceful solution to their problem. On 17 January 1962, the Secretary General further requested the representatives of the two Governments to discuss with him the possibilities of a peaceful settlement of the whole question in conformity with the purposes and principles of the Charter of the United Nations.⁵ The result of the appeals of the Secretary General was that negotiations took place under Ambassador Ellsworth Bunker who at the request of the Secretary General acted as a mediator. He proposed what is known as the 'Bunker Plan' which suggested the transfer of the Netherlands' authority temporarily to the United Nations and then to Indonesia. Provisions were also included for implementing the 'act of self-determination' granted to the Papuan inhabitants,⁶ before the end of 1963. The agreement between the and, thus, says the Secretary General, "...in time with the Netherlands and Indonesians was signed on 15 August 1962; principles of the Charter, has settled peacefully a long-standing problem, with benefit to all concerned".⁷

II. UNTEA

Indonesia, in the hope of a settlement on West Irian, had

5 *UN Review*, Vol. IX, No. 9, September 1962, p. 39.

6. Papuans were the inhabitants of West Irian. Literally, Papua in the correct name papa-wu wa, in Dutch means orphans. In Malay and Indonesian means an illegitimate child, an uncivilized and primitive person (*Indonesian Observer*, 7 June 1962).

7. *UN Review*, Vol. IX, No. 9, September 1962, p. 4.

brought its cause before the UN General Assembly. In 1957, the Indonesian representative stated in the General Assembly: "We have come here seeking a solution to this dispute not only in the best interests of the Indonesian and the Dutch peoples, not only in the best interests of peace and stability in this region of the world, but in its broadest context in the high interest of promoting a new, more fruitful relationship of co-operation and understanding between New Asia and the West".⁸ Accordingly, the United Nations has been doing its best to find a settlement for years.

The agreement of 15 August 1962 was followed by a resolution of the General Assembly stating that: The General Assembly, considering the dispute concerning West Irian,

- "(1) Takes note of the Agreement;
- (2) Acknowledges the role conferred upon the Secretary General in the Agreement; and
- (3) Authorizes the Secretary General to carry out the tasks entrusted to him in the Agreement".⁹

The Secretary General, then, constituted the UNTEA. This was the first time that the United Nations had Temporary Executive Authority, so that the UN Flag was to fly over a territory of which it was the sole administering authority. The Agreement provided for the United Nations to take over administration from October 1, 1962, for an interim period ending on May 1, 1963. Later, the Secretary General according to Article VII of the Agreement established a Security Force, the primary function of which was to maintain internal law and order.¹⁰

The UNTEA came across various difficulties during its stay. First of all it was handicapped by lack of knowledge of conditions in West Irian and the degree of political conscious-

8. Sastrowardjojo, Ali: *Indonesia in the United Nations* (Ministry of Information, Republic of Indonesia, 1957), p. 13.

9. UNGA Res. 1752 (XVII), 21 September, 1963.

10. Article VII says: "The Secretary-General will provide the UNTEA with such Security Forces as the UN Administrator deems necessary..."

ness which had developed among the Papuans. The national movement which took place in West Irian even reached the state of urging that the Papuans be allowed to run their own territorial administration.¹¹ Secondly, the hurried exodus of Dutch officials had left gaps difficult to fill.¹² Thirdly, the language was different and difficult to learn, which meant that contact with the people was rare. This is why one Papuan observed that "they (UNTEA) had no contact with the people whatsoever. As far as I am concerned they may just as well not have been here".¹³

This does not mean that the Administration was a complete failure. It assured the peaceful transition of authority from the Dutch to the Indonesians, the continuance of all public services and the supplying of essential commodities. The level of employment remained at its optimum and the economy remained stable. UNTEA also took steps to prepare the population psychologically for the impending change-over to Indonesian authority, and public projects were initiated, continued or completed by the UNTEA.¹⁴

In accordance with the Agreement, the transfer of sovereignty to Indonesia took place on May 1, 1963. It took place peacefully and without any incident.

The United Nations was to assist in implementing the remaining part of the Agreement, i.e., the 'Act of Free Choice', and as had been agreed, Fernando Oritz-Sanz of Bolivia was appointed to supervise it in April 1968. This act was carried out between 11 July and 2 August 1969, according to the traditional Indonesian system which was to arrive at a collective

11. Kroef, J. M.: "West New Guinea, the Uncertain Future", *Asian Survey*, Vol. VIII, August 1966, p. 699.

12. On September 1, 1962, the administration manned by 2,540 Netherlands officials and 7,618 local employees, by October 1, the figures were respectively 775 and 7,032. (Veur, P. W. Van Der: "The United Nations in West Irian, a Critique", *International Organization*, Vol. XVIII, Winter 1964, p. 59).

13. Quoted in Veur, P. W. Van Der, "The United Nations in West Irian, a Critique", *op. cit.*, p. 59.

14. *Ibid.*, p. 60.

decision by consent through consultative deliberations. This is the traditional democracy for the people, known throughout Indonesian history and adopted as one of the basic principles of the Indonesian Constitution of 1945. The term for such a system is 'Musjhwarah' (consultative deliberations) to arrive at a 'Mufakat' (collective decision by consensus). This process produces a collective will of the people, reflecting its absolute sovereignty. The people of West Irian chose this system of democracy to be applied in their assemblies for the 'Act of Free Choice'.¹⁵

Accordingly, unanimous consensus in favour of Indonesia was procured, and on November 19, 1969, the General Assembly completed the consideration of West Irian.¹⁶

The whole experience once again "proved the capacity of the United Nations to undertake a variety of functions, provided it received adequate support from Member States of the Organization".¹⁷

III. INDIA'S POLICY¹⁸

(A) *Common Ideals*

India had always considered West Irian as an integral part of Indonesia and this dictated its policy in this matter. For centuries Indo-Indonesian relations were rooted in their ancient culture and civilization; their languages and their Muslim religious ties¹⁹ are an asset for close relations. These two States of South East Asia have had to struggle for their economic independence, and politically they both followed the policy of Non-Alignment and adhered to the principles of Panch Sheel. There were reports that even in the United Nations they acted together in important decision-making. In particular

15. *Kiesings Contemporary Archives*, 1969-1970, Cols. 23711-12.

16. UNGA Res. 2504 (XXIV), 25 November 1969.

17. UNYB, 1963, p. 44.

18. Refer to Foot-note 1, p. 143.

19. India is the third Muslim country in number of population after Indonesia and Pakistan.

they were strong supporters of anti-colonialism wherever it existed and together they worked for a durable peace in the world.

India and Indonesia also shared a common view as regards the settlement of the West Irian issue. In the first place India wished the West Irian question to be settled through a peaceful approach based on direct negotiation between the Indonesian Government and the Dutch Government. To this end, India encouraged the two Governments to follow this path. As was clearly stated in December 1951 in the Indian Parliament, the Indian Government was in no doubt that the Indonesian claim to West Irian was legitimate and flowed from the circumstances of the case and even from the various treaties between Indonesia and the Netherlands. It only hoped the problem would not be allowed to drift in such a way that peaceful settlement become impossible in spite of the fact that the conciliatory approach had unfortunately failed so far.²⁰ President Sukarno echoed this last sentiment when he said: "we have tried to solve the problem of West Irian. We have tried bilateral negotiations....seriously and for years....We have tried using the machinery of the United Nations, and the strength of world opinion expressed there....the situation in West Irian is a dangerous situation.....eradicate imperialism and the world becomes immediately a clean place, a better place and a more secure place".²¹

With a peaceful settlement dragging its feet more than expected President Sukarno was stimulated by the Indian Goan experience.²² Since there was no peaceful way out in Goa, violent and explosive change took place and this could have been considered a precedent and an incitement for Sukarno.²³ "When

20. Jawaharlal Nehru: *India's Foreign Policy* (New Delhi: Government of India, Publication Division, 1961), pp. 412-413.

21. *United Asia*, Vol. XIV, February 1962, p. 104.

22. The Government of Portugal had taken an absolute position, stating that the status of Goa was not negotiable, and that Goa was to remain an integral part of Portugal.

23. *New York Herald Tribune* (European Edition), 4 January 1962.

patience has reached its limit, then I fear our policy of confrontation with the Dutch in all fields, military, economic and political should be succeeded by a policy even more forceful".²⁴

(B) *India's Position before the Agreement of 1962*

The territory's political status had been a matter of dispute between the two Governments for several years prior to the agreement. It had been the subject of discussion at the 9th (1954), 10th (1955), 11th (1956-1957), 12th (1957) and 16th (1961) session of the General Assembly when Indonesia laid its cause before the United Nations.²⁵ In all these years, India had very closely co-operated with Indonesia and supported its cause against colonialism. As a first step, on 30 November 1954 India joined Argentina, Costa Rica, Cuba, Ecuador, El Salvador, Syria and Yugoslavia in supporting Indonesia and requesting a peaceful settlement of the issue in a resolution which said that the General Assembly "Expresses the hope that the Governments of Indonesia and the Netherlands will pursue their endeavours in respect of the disputes that now exist between them to find a solution in conformity with the principles of the Charter of the United Nations".²⁶ Later, a meeting of the Prime Ministers of Burma, Ceylon, India, Indonesia and Pakistan, in December 1954 and April 1955 at the Afro-Asian Conference in Bandung, came out in support of the position of Indonesia.²⁷ In 1957 India together with Bolivia, Burma, Ceylon, Costa Rica, Ecuador, Ethiopia, Iraq, Pakistan, Saudi Arabia, Syria, Sudan and Yugoslavia drafted a joint resolution for effective action over the West Irian question:

"The General Assembly.....

1. Requests the President of the General Assembly to appoint a good offices commission consisting of 3 members, with a view to assisting in negotiations between the Gov-

24. President Sukarno quoted in the *Japan Times*, 12 August 1962.

25. UNYB, 1962, p. 124.

26. UN Doc. A/C.1/L.110, 20 November 1954.

27. UNYB, 1955, p. 61.

ernments of Indonesia and the Netherlands in order that a just and peaceful solution of the question may be achieved, in conformity with the principles and purposes of the Charter".²⁸

The Government of India stated that there could be no question of UN administration of West Irian, even for an interim period, without the consent of Indonesia, and India could not accept the application of the principle of self-determination to territories of sovereign states, or as a means of settling disputes without the agreement of the States concerned.²⁹ Furthermore, the Indian delegate to the United Nations reiterated the position of the Government of India in 1961, introducing an Indian draft resolution calling for bilateral negotiations.³⁰

(C) *The End of a Case of Colonialism*

The interests of India go back to when the Government of India, with the co-operation of the Government of Australia, rallied the Governments of that part of the world, to focus public attention on the subject of the status of Indonesia and its attempts to free itself from thralldom to the Netherlands' Empire.³¹ India extended the fullest moral support to Indonesia in that country's struggle against Dutch colonialism for the Indonesian struggle against the Dutch was a struggle for the freedom and unity of an Asian nation and should therefore be actively supported by Afro-Asian countries. Furthermore, it was also held that Indonesia would be justified even if it had to use force to throw the Dutch out.³²

28. UN Doc. A/C.1/L.173, 22 February 1957.

29. UNYB, 1961, p. 54.

30. "The General Assembly,....Believing that a peaceful and agreed solution of this problem is essential,

1. Urges the Governments of Indonesia and the Netherlands to engage themselves in further negotiations under the aegis of the President of the General Assembly with a view to find a solution of this question in conformity with the principles of the UN Charter....". (UN Doc. A/L367, 20 November 1961).

31. *Foreign Affairs Records*, Vol. VIII, No. 9, September 1962, p. 194.

32. *United Asia*, Vol. XIV, No. 2, February 1963, p. 99.

The Government of India considered West Irian an integral part of Indonesia with the transfer of sovereignty." Mr. A. Lall, a member of the Indian delegation to the United Nations, interpreted Article 2 of the transfer of sovereignty" and said that it referred to the 'residency' and not to the 'territory' of New Guinea. A residency, as is well known, was an administrative sub-division. In other words the very language of the Article is an admission that West Irian is an integral part of Indonesia."

India welcomed with great interest the agreement that was signed between the Governments of Indonesia and the Netherlands. In the General Assembly the Indian delegate stated that the Indian position had always been that Indonesia was one and sovereign, and that it was not a question of geographical proximity or personal relationships with the Indonesian leaders, but rather an approach to the whole problem of colonies." For Nehru, the agreement removed a source of conflict in South East Asia of which India is a part. For the Indian press, the agreement was the triumph of good sense.

The Government of India congratulated the Secretary General and the United Nations for its effectiveness in settling the West Irian problem. Indian opinion was that: "it was U Thant's tenacity which brought the disputants back to the negotiating table and Mr. Bunker's compromise formula which provided the basis for the final solution".

In spite of this good will India warned the United Nations not to become a super authority in the island. During the

33. UN Doc. A/PV 1255, November 6, 1963, para 57.

34. Article 2, "...that the *status quo* of the residency of New Guinea shall be maintained with the stipulation that within a year from the date of transfer of sovereignty to the Republic of the United States of Indonesia the question of the political status of New Guinea be determined through negotiations between the Republic of United States of Indonesia and the Kingdom of the Netherlands". (UNGA, *Official Records*, XI Sess, 664th Plc. Mtg., 28 February 1957, paras 158-160).

35. GAOR, XI Sess, 664th Plc. Mtg., 28 February 1957, paras 158-160.

36. *Foreign Affairs Records*, Vol. VIII, No. 1, January 1962, p. 194.

37. *The Hindu*, 17 August 1962.

period when it was present in West Irian the United Nations would have very limited functions, "in our view, this period should be as short as possible. The role of the United Nations, consistent with the Charter, would be to harmonize the various interests as far as possible without being a super-authority over the sovereign authority of Indonesia".³⁸

The results of the Act of Free Choice in West Irian were conclusive. This was the completion of Indonesia's anti-colonial struggle.

(D) India's Involvement

Although India did not participate in the UN Security Force, it was a consistent fighter for a peaceful and quick settlement of the West Irian question. At the beginning there was a rumour that U Thant was planning to send a Security Force to West Irian and that India might be asked to supply the bulk or even all of this Force. Moreover, the Force would need a large number of civilian personnel for its administration and India would be certainly responsive if its assistance was sought.³⁹ Although this was the public opinion in India, in reality Malaya was first asked to contribute the Force, but preferred not to be involved in it. It is true that Malaysians would have had the advantage even of speaking the same language but all the same, the Malayan Government reported that it could not spare men for the United Nations in West Irian as it needed them itself.⁴⁰ In the end the UN Security Force was formed of a contingent made available by Pakistan under the command of Brigadier General Said Uddin Khan.⁴¹

38. Indian delegate in GAOR, XVII Sess., 1127th Plé. Mtg., 21 September 1962, para 254.

39. *The Hindu*, 17 August 1962.

40. *The New York Times*, 16 August 1962.

41. The strength of UN Security Force as of December 1962:

Country	Staff Personnel	Troops	Air Force	Navy	Total
Canada			12		12
Pakistan	18	1394		110	1552
United States			64		64
Total by Category	18	1394	76	110	1598

There were various opinions and comments as to why India was not asked to contribute a force for West Irian. The first and foremost reason was that Indonesia being a Muslim country, it would have been preferable for a Muslim country to contribute the Force. In this respect the first choices were Malaya and Pakistan. The non-participation of Indian troops in West Irian could also be explained by a desire to allow other countries to share in these roles. As India had very largely contributed its forces in ONUC and UNEF, it was right and fit that in its turn Pakistan should also be able to contribute troops for the United Nations. Over and above all, the United Nations' first task was to supervise the cease-fire which would need only a small military force.

On India's part, since President Sukarno's indifferent attitude towards China's attack on India, India would certainly have thought the matter over very seriously if it had been asked to contribute a force. India's financial burden resulting from the ONUC and UNEF probably made it hesitate to become involved again and therefore, reports add, it perhaps would be the turn of the other Asian and African countries to bear the brunt of peace patrolling this time and contribute the necessary security troops for West Irian."

Apart from these external factors, there were some internal matters to consider at this time, and India was not in a position to send troops to West Irian when its own borders were being threatened.

In spite of all this, India very closely participated with the United Nations in its achievement of an effective union of West Irian with the common Indonesian motherland. Brigadier General I. J. Rikhye of India, the head of the United Nations military observer team, was given the task of helping to ensure the execution of the cessation of hostilities, of placing military observers at various points in the territory, and of making arrangements for the arrival of the United Nations Se-

curity Forces. The Indian Government also sent military observers under General Rikhye for the cease-fire supervision.⁴³

Conclusion

The UNTEA served an important function as a buffer between the Netherlands and Indonesia to avoid an armed conflict. It remarkably accomplished a smooth transfer of administration from the Netherlands to UNTEA and from UNTEA to Indonesia.

Although doubts were raised as to whether this action was a peace-keeping operation or not, it seems that the general opinion is that it was. It was a situation which had presented a threat to international peace and security, but fortunately, tension had been lessened through the cease-fire and the agreement between the parties. This offered an opportunity for a peaceful settlement provided that the United Nations could assume certain functions.⁴⁴ One peculiarity of this action was that unlike most operations the Security Force was not destined to assist a specific government of the country.

India's whole attitude towards the West Irian issue derived from its policy of anti-colonialism which preaches that from whichever part colonialism comes, it is a thing to be rejected and to be opposed. As usual India's continuous struggle was for a peaceful settlement through bilateral negotiations, and it seems highly probable that she would have been prepared to agree to participate in the Security Force if she had been asked to do so in spite of internal and external objections.

43. The military observers were drawn: from UNEF: Brazil 2, India 4, Sweden 2; from ONUC: India 2, Ireland 2, Nigeria 2, and Sweden 4; from UNTSO: Sweden 1, and Ceylon 2. (United Nations Office of Public Information, Press Release WNG/8, 28 August 1962). The financial settlements were made by the parties in dispute. The total cost was \$32,386,420. (Financial Report of 1964, General Assembly Official Records, 20th Sess. supplementary, No. 6, p. 41).

44. Bowett, D. W.: *United Nations Forces* (London: Stevens & Sons, 1964), p. 254.

CHAPTER VIII

India and the United Nations Intervention in Kashmir

I. UN MILITARY OBSERVATION GROUP IN INDIA AND PAKISTAN (UNMOGIP) AND UN INDO-PAKISTAN OBSERVATION MISSION (UNIPOM)

On 15 August 1947, the Indian Empire came to an end with the formal transfer of power by the British to the two new Dominions of India and Pakistan. At the same time 568 princely states¹ were theoretically left free to link their future with whichever Dominion they might wish, taking into consideration before they decided to join either, certain common factors such as geographical compulsion or geographical contiguity, the communal composition of the states, and economic and strategic problems.

Except for the state of Jammu and Kashmir (henceforth referred to as Kashmir),² largest of the former princely states

1. By the Independence Act 1947 it was provided that princely states of India which had not enjoyed their sovereign rights under the British were to do so in the future.

2. Kashmir is one of the 568 princely states of India with a population of 4,615,000 (1971) in an area of 84,471 sq. miles of which 77% are Muslims, 20% Hindus, 3% Sikhs, Buddhists and other minorities.

of India, all others had linked their destinies to either one of the Dominions.³ Kashmir being in a very peculiar situation as it had a Maharaja (Shri Hari Singh), a Hindu ruler⁴ with a Muslim majority, wished to have more time before deciding to join either of the Dominions. In the meantime, India and Pakistan vied for the possession of Kashmir. The Indian position was that Pakistan was using mainly economic pressure on Kashmir to join with it, and this was followed by the invasion through Pakistan and from Pakistan. The Pakistani position, on the contrary, was that it did not know anything about invaders and that India was using pressure to make the Hindu Raja join with India.

According to reliable sources, however, it seems that Pakistan was at least aware of the invasion. Confirming this, Sheikh Mohammed Abdullah⁵ observed: "I have seen with my own eyes the support given by the Pakistan Government, not only in supplying bases but in providing arms, ammunition, direction and control of the tribesmen, and I have seen the Pakistan Army cross the borders".⁶ A public statement by President Ayub Khan in Djakarta on 17 December 1960 confirmed this fact: "...where the Muslims were fighting for freedom, naturally, we in Pakistan went to their aid".⁷ So Pakistan sent troops into Kashmir to protect the territory of Pakistan from possible aggression by Indian forces, to prevent a 'fait accompli' in Kashmir by the Indian Government, and to prevent the influx of refugees into Pakistan.⁸

3. All that was required for the accession was an instrument of accession executed by the ruler and accepted by the Governor General.

4. In 1846 the Raja of Jammu, by the treaty of Amritsar, paid Rs. 7,500,000 to the British and acquired Kashmir from them.

5. Sheikh M. Abdullah, former Chief Minister of Kashmir; President of Muslim movement in Kashmir; born in 1905 in Soura near Srinagar, Kashmir; founder and leader of Kashmir Muslim Conference, political body founded in 1922 opposed to the autocratic rule of Hindu Raj; later became National Conference in 1939 (National Conference was like a national movement as Congress party of India); launched 'quit Kashmir' movement in 1946; Member, Kashmir delegation from India to UN, detained and put in jail several times. (Hao's Hao, *The Times of India*, 1968).

6. SCOR, S/Agenda 241, 5 February 1948, p. 16.

7. Indian Foreign Affairs, Vol. V, No. 3, March 1962, p. 31.

8. UN Doc. S/1100, 9 November 1948, p. 19.

Not being able to stop the invasion, the Maharaja wrote to the Governor General of India, Lord Mountbatten, and said that in view of the conditions obtaining at present in Kashmir he had no option but to ask for help from the Dominion of India which naturally could not send the troops asked for without his state acceding to the Dominion of India.⁹ Lord Mountbatten, in consultation with the Government of India, accepted this accession but informed Kashmir that consistent with the policy whereby any state in which the issue of accession had been the subject of dispute, the question of accession should be decided in accordance with the wishes of the people of that state.¹⁰ Hence, when the Maharaja of Kashmir executed an instrument of accession in favour of India on 26 October 1947, Kashmir became legally and constitutionally a part of India.

On 1 January 1948, the Indian Government, under Article 35 of the Charter, laid down in the UN Security Council a complaint against Pakistan for its complicity with the tribesmen and officials in the tribal invasion.¹¹ Moreover, India was afraid that the invasion by tribesmen from the North West Frontier Province of the state of Kashmir was likely to endanger international peace and security.

The Security Council having heard statements on the situation in Kashmir from representatives of the Governments of India and Pakistan adopted a resolution which established "a commission of the Security Council composed of representatives of three members of the United Nations, one to be selected by India, one to be selected by Pakistan and the third to be designated by the two so selected".¹² During the month of April the UN Commission in India and Pakistan (UNCIP)¹³ rose from three to five because of practical necessity. This commission

9. UN Doc. S/628, 2 January, 1948.

10. Higgins, R., *UN Peace-Keeping 1946-1967, Asia, op. cit.*, p. 316.

11. UN Doc. S/628, 2 January 1948.

12. UN Doc. S/654, 20 January 1948.

13. UNCIP was composed of Czechoslovakia, Argentina, Belgium, Colombia, and the US. (Czechoslovakia is selected by India, Argentina by Pakistan and three others selected by the Security Council).

was invested with a dual function:

"1. To investigate the facts pursuant to Art. 34 of the Charter of the United Nations.

2. To exercise without interruption the work of the Security Council and supply mediatory influence to smooth away difficulties; to carry out the directives given to it by the Security Council; and to report how far the advice and direction, if any, of the Security Council have been carried out".¹⁴

UNCIP's continuous efforts to restore peace and order proved successful when a cease-fire order was announced on 1 January 1949. To render this cease-fire effective, the Security Council established UNMOGIP,¹⁵ the main duties of which included not only observation of the cease-fire line, but also competence to decide whether the cease-fire was being violated or not.

On 9 December 1949 the Commission made a final report recommending the replacement of the Commission by a Mediator. Accordingly, the first Mediator was Sir Owen Dixon, a judge of the High Court of Australia. It ended in failure because of India's stand on the withdrawal of its forces and its refusal to equate its position to that of the aggressor. The mission of Dr. F. Graham¹⁶ ended also in failure; the chief obstacle to his proposition of demilitarization was the difference over the number and character of the forces to be left on each side of the cease-fire line at the end of the period of demilitarization. In February 1957 the Security Council sent Mr. Gunnar Jarring of Sweden as Mediator. He faced the old argument that India would not permit a plebiscite because Pakistan had not carried

14. UN Doc. S/654, 20 January 1949.

15. The first group of UNMOGIP arrived in the subcontinent in January 1949, the number has varied from 40 to 60 since then. The team was composed of officers from Austria, Belgium, Ecuador, Mexico, Norway, Sweden, Uruguay and the USA.

16. F. Graham was Defence Manpower Administrator in the Department of Labour in Washington, former US Senator and former President of the University of N. Carolina (UNYB, 1951, p. 344).

out its part of the agreement, i.e., withdrawal of its troops."

After a relatively calm period the situation became explosive in 1965, when fighting broke out, violating the cease-fire line, and also in other parts of the state. The United Nations established another observation mission called UNIPOM." The scope of UNIPOM was explained by the Secretary General: "for historical, legal and practical reasons, it was not possible for UNMOGIP to carry out those tasks beyond the Kashmir cease-fire line."¹⁷ He added, "...in view of the difference in origin and function between the UNMOGIP and UNIPOM, I have decided to organize the observers whose function it is to supervise the cease-fire and withdrawals, as an organization separate from UNMOGIP (though) obviously the two will be closely co-ordinated."¹⁸

The UNIPOM did not last long in the subcontinent as it ended its duties by March 1966. But the presence of the UNMOGIP has been found indispensable until to-day. In the meantime, peaceful settlement was also sought through Tashkent declaration." But a final political solution is still far off.

II. INDIA'S POLICY

(A) The Governmental Policy towards UN Operations

The Government of India laid the Kashmir issue before the Security Council of the United Nations, explaining its position which was that the state was an integral part of the Union and

17. Higgins, R., *United Nations Peace-Keeping 1946-1967, Asia*, op. cit., p. 377.

18. UNIPOM numbered about 90, provided by 10 Member States (Brazil, Burma, Canada, Ceylon, Ethiopia, Ireland, Nepal, the Netherlands, Nigeria and Venezuela). (UN Doc. S/6699, 21 September, 1965).

19. Quoted in Higgins, R., *United Nations Peace-Keeping 1946-1967 Asia*, op. cit., p. 427.

20. Tashkent Declaration, Art. 1: "The Prime Minister of India and the President of Pakistan agree that both sides will exert all efforts to create good neighbourly relations between India and Pakistan in accordance with the UN Charter. They reaffirm their delegation under the Charter not to have recourse to force and to settle their disputes through peaceful means. They considered that the interest of peace in their region and particularly in the Indo-Pakistan subcontinent and indeed, the interest of the peoples of India and Pakistan were not served by the continuance of tension between the two countries". *Foreign Affairs Records*, Vol. XII, No. 1, January 1969, p. 11).

therefore aggression or partition, secession and its entirety relate to the Indian Union. The accession was full, final, complete and irrevocable. India declared Pakistan to be an aggressor, which had invaded and annexed the sovereign territory of the Indian Union.²¹ To seek the cessation of fighting and a settlement of the issue, the Government of India had requested the Security Council, to ask the Government of Pakistan to prevent its Government personnel, military and civil, from participating in or assisting the invasion of Kashmir, and to call upon other Pakistan nationals to desist from taking any part in the fighting there, and to deny to the invaders access to and use of its territory for operation against Kashmir, military and other supplies, and all other kinds of aid that might tend to prolong the present struggle.²²

From the very beginning the Government of India found the handling of the Kashmir issue in the Security Council strange. It insisted on taking into consideration the basic facts and historical developments. Prime Minister Nehru reiterated: "the first established fact is that there was aggression by Pakistan in October 1947, resulting in widespread killing, destruction and looting. This being the initial fact governing the whole Kashmir affair, it must be remembered because everything subsequent flowed from it. Every decision that may be taken, every consideration that may be given to the Kashmir problem, has always to keep this basic fact in mind".²³

In the Indian view, the Security Council seemed more concerned with the legality of accession than with the aggression of Pakistan. India repeatedly remarked in the course of Security Council meetings: "we went to the Security Council not to decide on accession and so on—that was an accomplished fact and we did not want anybody else's authority to tell us that accession was right or not. We went there to ask the Security

21. *Jawaharlal Nehru's Speeches, 1953-57*, Vol. III, op. cit., pp. 217.

218. See also V. K. Krishna Menon: *What is at Stake?* (Seminar, Kashmir 58, New Delhi: Janspath, 1964), pp. 35-36.

22. *Jawaharlal Nehru's Speeches 1946-47*, Vol. I, op. cit., p. 171.

23. *Jawahar Lal Nehru's Speeches, 1953-57*. Vol. III, op. cit., p. 217

Council to call upon Pakistan to withdraw its forces from Indian Union territory, that was the main object".²⁴ But the Council, condoning the aggression, unwittingly gave some legal substance to Pakistan's armed presence in a part of Indian territory. In spite of all this, the Government of India accepted the resolutions of the United Nations and of the UN Commission, "not because we liked everything about them", said Prime Minister Nehru, "but because in our earnest desire for a peaceful settlement.....".²⁵

Many Members of the United Nations were of the opinion that a plebiscite was the only right and peaceful solution to the Kashmir issue. The Government of India noted that the resolutions of 13 August 1948 and 5 January 1949 were precedents to acceptance of a plebiscite and "we accepted them (the resolutions); we stood by them and we stand by them.....".²⁶ There were, however, some conditions of the resolutions to be fulfilled before it could take place. The very first was that Pakistan which had brought its army into Kashmir withdraw it." Aggression must be purged before there can be any talk on other steps to be taken, like a cease-fire, a truce and then a plebiscite.²⁷

It is to be remembered that Prime Minister Nehru, who was the first to accept the idea of a plebiscite, went out of his way to declare that after the raider had been driven out and peace restored in the state, means would be found to ascertain the people's wishes. The Indian Government was to hold fast to this word and principle. It held, however, that it was ex-

24. *Jawaharlal Nehru's Speeches, 1953-57*, Vol. III, *op. cit.*, p. 361.

25. *Jawaharlal Nehru's Speeches, 1949-53*, Vol. II, *op. cit.*, p. 106.

26. *Jawaharlal Nehru's Speeches, 1957-1963*, Vol. IV, *op. cit.*, p. 277.

27. ".....As the presence of troops of Pakistan in the territory of the state of Jammu and Kashmir constitutes a material change in the situation since it was reported by Government of Pakistan before Security Council, the Government of Pakistan agrees to withdraw its troops from that State". (UN Doc. S/995, 13 September 1948).

28. "A plebiscite will be held when it shall be found by the Commission that the cease-fire and truce arrangements for the plebiscite have been completed." (UN Doc. S/1196, 10 January 1949).

tremely important that Pakistan troops should completely withdraw and peace should reign in the state before a plebiscite takes place. Moreover, Nehru noted that "the Government of India's acceptance of a plebiscite was not an offer to Pakistan or any organization but it was to the people of Kashmir, in spite of the fact that the Kashmir Government's accession to the Government of India was indisputably correct from the legal and constitutional point of view".²⁹

As far as the formation of UNMOGIP was concerned, India did not make any objections until Pakistan was promised military assistance by the United States in February 1954. Then Prime Minister Nehru advised the Secretary General of the United Nations that the 18 military and 3 civilian Americans serving in UNMOGIP could no longer be treated by the Indians as neutrals in this dispute and hence their presence appeared to be improper.³⁰ There was also, at a later stage, some disagreement between India and the Secretary General on the establishment of UNIPOM as a separate entity from UNMOGIP. India wished UNMOGIP to operate not only on the 1949 Kashmir cease-fire lines but in all other areas in Kashmir where its help was needed. So it was of the impression that it would have been enough if the United Nations had expanded UNMOGIP instead of establishing a separate observation group. That was why the Indian delegate to the United Nations observed: "the separation of the cease-fire line by two groups separately in different sectors is bound to cause confusion and the Government of India fears that it will not be possible to achieve the close co-ordination, administrative and operational, which we consider essential to proper implementation of the cease-fire".³¹ As a result of this there were strong objections on the part of India when the question of payment to UNIPOM was raised.

When the formation of a UN military force in Kashmir was

29. Quoted in Das, T.: "The Kashmir Issue and the United Nations," *Political Science Quarterly*, Vol. LXV, June 1950, p. 278.

30. Rajan, *India in World Affairs*, op. cit., p. 274.

31. UN Doc. S/6735, 10 October 1965.

of the United Nations seemed clear to the political leaders and they strongly criticized it. Dr. Radhakrishnan was afraid that the United Nations would share the fate of the League of Nations if it did not become effective in Kashmir. He said that at the time of the conflict between Ethiopia and Italy, the League of Nations had been unable to act in a just and honourable way, and that was the beginning of the end for the League and he hoped that the UN would not submit to anything false or unjust." One of the eminent freedom fighters, Sardar Vallabhbhai Patel, went further when he said that the United Nations was an organization which is supposed to lay the foundations of world unity and peace. But its Members were not even able to settle their own differences and the Security Council had so far not been able to solve definitively any problem that had come up before it. In his opinion it would be more appropriate to call it the "Insecurity Council" disturbing the peace of the world. He added that if the Security Council were to release India from its obligation to it India could put an end to the Kashmir problem very speedily."

The ineffectiveness of UN Observers in Kashmir was also noted among Indian politicians. The General Secretary of the Jana Sangh, an Indian right-wing party, strongly criticized the UN Observers, saying that "India could hardly rely on the assurances of UN Observers. Their role in Kashmir was not satisfactory" and he added that "the United Nations would undermine the country's defence to Pakistan's advantages". The Communist Party of India was militantly opposed to the UN presence in Kashmir. They even called for the expulsion of the United Nations from Kashmir.

The general opinion among Indian statesmen was that the Big Powers had a heavy hand in this issue and so it was their duty to help to reduce the tension. Moreover, they stated that

37. *The Hindu*, 12 October 1965.

38. *The Hindu*, 4 October 1949.

39. *Indian Recorder and Digest*, Vol. II, No. 7, July 1963, p. 7.

if the United Nations was to function as an effective force to maintain peace it should stay away from the power politics' game. The Socialist Party's opinion, expressed in its monthly journal 'Mankind', was simply that there seemed to be no justification for ever having taken the case of Kashmir to the Security Council. The Government of India was perfectly capable of dealing with the Pakistan invasion by itself and the Indian armed forces had been well on the way to clearing the whole of Kashmir from that occupation. The appeal to the Security Council showed a pathetic faith in a body that was plainly an instrument of the Great Powers. It added that a plebiscite would only provide an opportunity for the forces of division—to raise the question of whether the people of Kashmir were Muslims or Hindus. What was necessary and appropriate for the people of Kashmir was not a plebiscite but the opportunity to exercise their democratic liberties for the first time.⁴⁰

The Indian Muslim political leaders in a convention held in Lucknow on March 19 and 20, 1958 declared their conviction that Kashmir was legally and constitutionally an integral part of the Indian Union, and called on Pakistan to end its aggression. The convention concluded in the following words: "... if ever such an occasion arises the Muslims of Indian would be foremost in defending India's sovereignty and honour."⁴¹

As concerns a peaceful settlement, the Indian politicians were unanimous in holding that a lasting solution to the Kashmir issue could only be possible through negotiations between India and Pakistan and they considered that the United Nations could be of no assistance in achieving a lasting settlement.⁴²

(C) *World Opinion*

There is a general feeling among many United Nations

40. In Sisir Gupta: *Kashmir—A Study in India-Pakistan Relations* (Bombay: Asia Publishing House, 1968), p. 448.

41. Quoted in Sisir Gupta, *op. cit.*, p. 450.

42. Lok Sabha Debates, Vol. XXXVII, No. 26, December 1961, Cols. 5816-5819.

delegations that the crisis in Kashmir was prolonged because of the failure of the United Nations to implement its decisions in the disputed territory. They tried to bring about an end to the fighting but they could not provide a final solution."

Many remarked that the United Nations had made a mistake in placing the aggressor and the victim of aggression on the same footing. The 'Reporter', New York, 21 October 1965 carried an analysis from Edmond Taylor who had visited several critical sectors of the cease-fire line in Kashmir and had observed that "the subsequent escalation might conceivably have been avoided if the United Nations had identified Pakistan as the aggressor early in August and mobilised all pressures at its command to halt the aggression before it provoked the inevitable Indian retaliation...thereby it (UN) failed in its mission to preserve peace".⁴³

As far as the accession of Kashmir was concerned, there were Member States of the United Nations who felt that it was unquestionably legal. For Warren Austin, the then representative of the United States to United Nations: ".....with the accession of Jammu and Kashmir to India, this foreign sovereignty went over to India and is exercised by India and that is how India happens to be here as a petitioner".⁴⁴ The USSR representative bluntly declared, "the Kashmir question wassettled by the Kashmir people themselves who consider themselves to be an inalienable part of the Republic of India".⁴⁵

World opinion showed itself to be divided. However, it seems, particularly from the legal point of view, that Kashmir be part and parcel of India. 'The Daily Telegraph', Lagos, September 14, 1965 noted that "Pakistan has committed what

43. Lourie Sylva: "The UN Military Observer Group in India and Pakistan," *International Organization*, Vol. IX, No. 1, February 1955, p. 19.

44. Quoted in *India and Foreign Review*, Vol. III, No. 4 December 1, 1965, p. 21.

45. Quoted in OAOR, 20th Sess., 1364th Plc. Mtg., 15 October 1965, para 47.

46. *Ibid.*, para 43.

in international law is aggression". So India had a legitimate right to fight back. The statement added that "the demanded plebiscite on Kashmir is an insult to India". Why should a foreign country demand a plebiscite in a territory of India?

The "Gazette de Lausanne" of Switzerland assured that "the responsibility for the present crisis lies with Pakistan". Pakistan could not escape from the fact that "the arms used by raiders could come only from Pakistan".⁴⁷ *The Times* (London) of August 31, 1965 reported that there could be no doubt that the guerrilla actions in Indian Kashmir resulted from an operation conceived, planned and directed by the Government of Pakistan. The 'Journal de Geneve' of August 23, 1965, categorically observed that for Pakistan there was a constant temptation to support insurrectionary movements and to give Kashmir the character of a Muslim province and so bring it under Rawalpindist authority.

The whole Muslim world supported India saying Pakistan is the aggressor and it should stop aggression in Kashmir which was constitutionally Indian territory, and as one of the Muslim newspapers wrote: "India recognizes the right of the 60 million Muslim community in India to its own way of living. With its secular administration India has secured equal rights to all without making any discrimination against minorities. It is for this reason that during the armed conflict Indian Muslims acted in the same manner as the Hindus while fighting against the Muslim Pakistan army".⁴⁸

(D) *Indian Public Opinion*

The people of India consider the conflict over Kashmir to be a conflict of "principles". In order to strengthen Islamabad Pakistan wished that all Muslims should join their natural fatherland, whereas India wanted to maintain the principle of the Peaceful Co-existence of Hindus not only with Muslims but

47. Quoted in GAOR, 20th Sess., 1342nd Pl. Mtg., 29 September 1965, para 88.

48. Quoted in *Indian and Foreign Review*, Vol. III, No. 5, December 1965, pp. 19-20.

with all other communities such as Buddhists or Christians. There is also a conflict over "fundamentals" as both India and Pakistan are fighting to defend their national and religious integrity respectively; Pakistan has to assert its communal ideas and India has to resist them.

The 60 million of Indian Muslims cannot understand why Kashmir with a Muslim majority should not be a member state in the Union of India. They do not find any necessity for having a separate state to foster their culture and ideas. So they consider that the problem of Kashmir is not just a problem of Indo-Pakistan relations but one based on more profound things like "hatred, suspicion and fear". If there is to be a lasting settlement it is absolutely essential that all these be got rid of.

There is no doubt that at the time of independence paramountcy over the princely states in the subcontinent was abandoned by Britain and wrongly so. The consequence was the Kashmir dispute. This was why India went to the United Nations, making the simple request that Pakistan be asked to cease aiding those aggressors, "either (our) facts were right or they were wrong; the United Nations never gave an answer. Now it is clarified by the fact Pakistan has never admitted that her troops are fighting in Kashmir. This admission was a reversal of her claims before the United Nations".⁴⁹ When the Indians found that the United Nations was ineffective in dealing with the Kashmir issue, they strongly criticized the Government of India: "We maintain that our Government has bungled badly over the Kashmir issue".⁵⁰ They thought that the biggest bungle was to have referred the Kashmir problem to the United Nations. It seems that the sooner India withdraws this issue from the United Nations the better for India and for Kashmir. The second bungle was the cease-fire order during the valiant Indian Army's absence in Kashmir chasing aggressors. The result is that Kashmir territory, which is under the law, under the constitution and by all canons of morality and justice Indian territory, one-third of it is to-day occu-

49. *The New York Times*, 15 August 1948.

50. Lok Sabha Debates, Vol. XIX, No. 1, August 1963, Col. 2528.

pied by these illegal trespassers who are still sticking to it and Indians are passive spectators and cannot do anything. The third bungle was the offer of a plebiscite which led to this confusion and resulted in a serious situation.⁵¹

The extremists came to the conclusion that a part of the territory of India has been invaded, is held by the enemy, and they are asking what Indians are doing to defend that territory. The Government of India failed in its defence; therefore, some proposed that Indians should march their armies. Furthermore, when aggression seemed to be condoned and the United Nations seemed incapable of finding a political solution, some concluded that the Kashmir issue no longer exists in the United Nations for them, save when it is raised by Pakistan. For others, the issue was already settled when Kashmir acceded to India.

51. *Lok Sabha Debates*, Vol. XIX, No. 1, August 1963, Col. 2525.

PART THREE

**TOWARD A UNITED NATIONS
PEACE-KEEPING AUTHORITY :
THE INDIAN APPRECIATION OF
PAST EXPERIENCE AND FUTURE
PROSPECTS**

CHAPTER IX

Factors Motivating Indian Policy towards the United Nations Peace-Keeping Operations

I. EXTERNAL FACTORS

India's policy of Non-alignment and Peaceful Co-existence, although designed to safeguard its own national interests at the time of 'Cold War' rivalry, later proved a real international policy. The fast growing membership of the non-aligned group and its various conferences and resolutions have made real contributions to the cause of world peace.

Aloof from any military alliance, independent in policy, taking each issue on its own merits, Non-Alignment seeks collective peace which is where collective security really lies. It is best practised in the United Nations, the Organization in which is to be found the means for Collective Security and the peaceful settlement of disputes. It has been clearly revealed that a policy of Non-Alignment is not a policy of weakness, nor a question of equilibrium, it is not a question of sitting on the fence but of acting. It is merely proclaiming to the world that Non-Alignment can make a contribution to peace by methods of conciliation.¹ In the sphere of power bloc rivalry as in Korea it has proved a very useful medium.

1. *The Hindu*, 8 September 1953.

The Collective Security system established in the Charter was to prevent the outbreak of war. Although the Government of India was not satisfied with the provisions dealing with this question, it felt that the Charter was an 'organic creation' and must therefore be regarded as 'eternal',² which is why it strongly supported the view that the Security Council was the sole authority to undertake UN Peace-Keeping Operation with military dispatch. It should be remembered that India took a negative attitude, to the establishment of the 'Uniting for Peace' resolution which provided to the General Assembly the possibility to intervene in the maintenance of international peace and security whenever the lack of unanimity prevailed in Security Council.³

However, although India accepted the fundamental assumptions of the Collective Security system, it was very sceptical about its military use in the prevention of aggression. It was of the impression that collective measures need not necessarily be military in character.⁴ Nominally, a Collective Security system was operated in the Korean crisis. The United Nations' 'Unified Command' established in Korea, according to India, was not an example of the Collective Security system as envisaged in the Charter, but an imperialistic intervention in the name of Collective Security. This, then, was a clear example of the United Nations becoming an instrument of power politics, and perhaps was one of the reasons why India did not send a force to participate in the 'Unified Command'.

India was of the opinion that colonialism and neo-colonialism constitute a basic source of international tensions and conflict because they endanger world peace and security. Resentment was great against foreign rule which had caused frustrations among the Indian masses for nearly a century and a half, and the result was that its emergence as a foreign state was

2. Bilgrami, S.J.R. : *India's Role in the United Nations* (New Delhi: Jamia Millia, 1969), p. 16.

3. *UNGA Res. 377 (V)*, 3 November 1950.

4. Swadesh Mehta, *India's Attitude towards Collective Security System under the United Nations*, *op. cit.*, p. 20.

considered but a step in the struggle against imperialism elsewhere.

India had already fought against world colonialism before independence. Suhbas C. Bose, a nationalist leader of the freedom fighters of India, had already observed in 1938 that "ours is a struggle not only against British imperialism but against world imperialism as well..., we are, therefore, fighting not for the cause of India alone but of humanity as well".⁵ India's strategical importance in world politics is again stressed by M. A. Ansari, President of the Indian National Congress (1927), ".....once India is free, the whole edifice of imperialism will collapse as this is the keystone of the arch of imperialism. The best guarantee for the freedom of Asia and the peace of the world is a free and self-governing India".⁶

Basically, imperialism was the reason why the Atlantic Charter and Dumbarton Oaks Proposals made little appeal to India as they still contained elements of territorial imperialism.⁷ Indian statesmen repeatedly stressed in the United Nations the danger of colonialism and their fears that the UN might be used as an instrument of certain colonial and imperialistic powers to perpetuate their hold on less fortunate people. India's main objective was to make the United Nations the real instrument of justice and peace.⁸ India's support for anti-colonialism culminated in co-sponsoring the historic resolution adopted by the United Nations on 14 December 1960, called the Declaration on the Granting of Independence to Colonial Countries and Peoples.⁹ Putting principle into practice, India very strongly criticized Belgian colonialism in the Congo and did all it could to have it withdrawn as a pre-requisite for lasting peace in that region. In the West Irian issue India called on the Dutch to return to Indonesia what was really an integral part of its

5. Quoted in Govinda Raj, *op. cit.*, p. 8.

6. *Ibid.*

7. Swadesh Mehta, *India's Attitude towards Collective Security System*, *op. cit.*, p. 2.

8. *The Hindu*, 29 October 1950.

9. UNGA Res. 1514 (XV), 14 December 1960.

territory, as a first step to the establishment of peace in the island.

When faced with racial discrimination India did all it could, short of going to war, to fight it. It was India which brought the racial situation in South Africa to the attention of the United Nations and suggested that a Commission should be established to consider the international implications of this situation.¹⁰ Whereas, in the Palestine conflict India's intervention in the United Nations was to promote negotiations between two disputed races. It very strongly advocated the elimination of racial prejudice between Arabs and Jews, arguing that both races should coexist in Palestine. This was also the approach India took as regards the Cyprus issue, declaring that both Greek and Turkish Cypriots were one people in an independent State.

India was aware of the political importance of the Big Powers in the formation of UN peace-keeping machineries. Already at San Francisco when there was talk on 'armed forces to prevent aggression', certain privileges were conceded to the Big Powers; i.e., no collective enforcement action could be taken unless the Big Powers agreed, and there was the implication that no coercive action could be taken against any of the permanent Members. Although India did not favour all these privileges it was forced to accept this formation at that time,¹¹ but held that it was essential for the Big Powers to agree on a basic minimum policy if the United Nations were to take the vital decision of forming a UN Force. Hence, during the Korean crisis India's efforts were directed towards offering "compromise solutions which could make the Great Powers tolerate, if not agree with each other",¹² and later helped to lessen the gap between East and West in Indo-China and during the Suez War. In the Congolese civil war, India, leading the non-aligned

10. Swadesh Mehta, *India's Attitude towards Collective Security System*, op. cit., p. 36.

11. *Ibid.*, p. 14.

12. *Ibid.*, p. 38.

states, went so far as to offer combat forces in order to forestall armed intervention by the member nations of the two blocs.¹³

India was irrevocably opposed to the landing of foreign troops on the soil of another country under any pretext whatever and this attitude was clearly stated when American soldiers landed in Lebanon, and Belgians in the Congo: "we do not accept the use of foreign troops on any territory, for we are convinced that there can be no settlement and no return to normality until foreign troops have been removed. The countries there should live their own free independent lives without interference from outside";¹⁴ and above all, India did not accept that the United Nations troops should become a 'super power' in any country, during its action there, they would still be foreign troops. For instance India clearly stated in the Congolese and West Irian affairs that United Nations troops should not intervene as a 'ruling authority' but rather as an element to help the Congolese and West Irians to settle their problems.

The total impartiality of India's foreign policy led it to play important roles in UN peace-keeping operations. There was no operation where India's advice was not requested or where India's participation was not asked for. Furthermore, in all operations, in which India participated, the host countries were satisfied.

Moreover, India was of the opinion that UN peace-keeping operations were collective operations of all the Member States and therefore the collective responsibility of all members was involved. It insisted that if possible all Member States should take the responsibility of participating in UN peace-keeping operations instead of it being the same Member States which always shouldered the major burdens. This may be the reason why the Security Force formed for West Irian was provided by Pakistan instead of by India which would have been an equally suitable choice because of its experience in those

13. Rajan, *Non-Alignment: India and the Future*, op. cit., p. 40.

14. Quoted in *UN Review*, Vol. V, No. 5, November 1958, p. 22.

Kingdom and France a gross case of 'naked aggression' and strongly insisted that the United Nations take immediate action to end it. In short, his active and constructive intervention in each international dispute laid before the United Nations greatly helped the UN authorities to take quick action in the field.

Mr. V. K. Krishna Menon¹⁸ was Nehru's right hand in foreign policy. For many years he had led the Indian delegation to the Annual Session of the General Assembly where his acute intelligence was a guiding line for many years to the United Nations. His role in the Korean Armistice, the Geneva Conference on Indo-China and the Suez crisis was outstanding.

Although he was very closely involved in various United Nations peace-keeping operations, he was not very satisfied with its activities apart from those of the UNEF. As a matter of fact when the UNEF's formation was proposed by L. Pearson of Canada and the inclusion of units of the Canadian army in the Force aroused suspicions of President Nasser as to the 'bona fides' of Canada in this affair, it was Krishna Menon who convinced President Nasser that Canadians are ex-colonials and would therefore not harm Egyptian interests.¹⁹

In all his actions Menon has shown his ability to grasp Nehru's thought and objectives and to convey them forcefully to the outside world. At the same time Mr. Menon proudly noted in the Nehru memorial lectures in London in 1971 that "these thirty years (with Nehru) are years which have enriched my life and I hope, with all humility, that I have made some contribution towards the ideas that Pandit Nehru wanted to put forward".²⁰

II. INTERNAL FACTORS

The whole internal atmosphere of India is to shower peace

18. Vengalil Krishnan Krishna Menon, born on May 3 1897 in Calicut Kerala; educated in India and in England; First High Commissioner of India to United Kingdom; Minister of Defence of India 1957-1962. (*International Who's Who* 1970-1971).

19. Brecher, *India and World Politics*, op. cit., p. 75.

20. *India News*, 21 November 1971.

on the world. Nehru repeatedly observed that peace is India's motto, that India yearns for peace, not merely because it is good in itself, but because without peace there can be no improvement in the lives of the vast majority of the world's peoples." But war and peace are becoming indivisible, therefore it is not enough for one country to secure peace within its own borders but it is also necessary that it should endeavour to its utmost capacity to help in the maintenance of peace all over the world." This peace is not merely the absence of war but an active and positive approach to lessen international tensions." This idea has driven India to play a mediatory role in world conflicts thus serving as a determining factor in favour of peace.

Its geographical position also thrusts India into world issues. "Look at the map," says Nehru, "if you consider any question concerning South East Asia, you cannot do so without India, so also with the Far East. While the Middle East may not be directly connected with South East Asia, both are connected with India." Moreover, India is interested in the world's problems because they affect India as they affect the whole world. "We are interested particularly in Asian problems because we are part of Asia. We are interested in Afri-

21. *J. Nehru's Speeches, 1957-1963*, Vol. IV, *op. cit.*, pp. 317-318. There was a long and serious search for universal peace in ancient India. The uninterrupted history of petty or dreadful warfare over three millennia is known to Hindus better than to any other people. In Indian epics like 'Mahabharatha', and 'Dharma Sastra', there are repeated warnings against 'Ajaka' (anarchy). During the period of the epic wars the concept of 'Cakravartin' (evolved 1900 B.C. to 1100 B.C. and defined as "that imperial authority before whom all feudatory kings humble themselves to accept allegiance but remain otherwise sovereign"; quoted in Nagendra Singh, *India and International Law*, *op. cit.*, p. 14) visualized complete internal autonomy for the political units which owed some allegiance to 'Cakravartin' which was the basic principle behind the theory for the establishment of a supranational authority without which peace was impracticable.

22. *J. Nehru's Speeches, 1949-53*, Vol. II, *op. cit.*, pp. 217-218.

23. *J. Nehru's Speeches, 1953-1957*, Vol. III, *op. cit.*, pp. 303-304.

24. J. Nehru: *Independence and After* (New York: J. Day, 1950). p. 231.

can problems (because) large numbers of Indians live there—we are interested in them.’²⁵

It is not surprising then, that in the United Nations India has always been in the forefront of every peace move. There is no other country which has worked so strenuously for peace and which has produced such great peace-lovers and peace-makers as India. Moreover, part of the Indian constitution bears a close similarity to the principles behind United Nations activities, as for example Article 51 of the Constitution which reads;

“The State shall endeavour to—

- (a) promote international peace and security;
- (b) maintain just and honourable relations between nations; and
- (c) encourage settlement of international disputes by arbitration”.

It is interesting to note that there is hardly a single document in the entire realm of world constitutions, which agrees so scrupulously with the Charter of the United Nations.”

India's major aim has always been to support the United Nations and to maintain its prestige. Therefore, it is highly improbable that it could have had ‘ulterior motives’ in helping the United Nations. S. Rhee's remark that ‘it wanted to be the Asian leader, this is why it took interest in the Korean war,’ is not borne out by the facts. Tshombe's observation that ‘the arrival of Indian soldiers on the soil of Congo is an invasion of India in Africa’, is obviously false. In spite of all these criticisms, India whole-heartedly collaborated with all United Nations activities.

India's desire, based on its ancient philosophy and reli-

25. Nehru's statement in: Press Information Bureau, The Government of India Publications Division, February 22, 1954, p. 13.

26. Kochukoshy, C.K.: *India and United Nations*, (Delhi, Inter-Cultural Forum, 1953), p. 11.

gion," was to reduce international tensions and lessen the dangers of armed conflict, and this led to its continuously advocating the peaceful settlement of international disputes in the United Nations. That is why India did not accept the counter-aggression in Korea. Instead, it lent its valuable support to negotiations in an attempt to reach a solution. In the Congo, India was of the opinion that the United Nations should have tried peaceful means before resorting to armed forces. Had this been done, in all probability, the recent history of the Congo would have been comparatively peaceful.

Other major internal factors such as nationalism, national interest and partition should be added to this. India was aware of what a nationalist movement is. It is an uprising according to the wish of the people of one particular area. Therefore, from its own experience it was sympathetic and supported these movements, as, for instance, in the Lebanon crisis when India argued that the United Nations should recognize the right of the people to choose Arab nationalism. The partition plans proposed for Palestine and Cyprus in the United Nations did not satisfy Indian statesmen who were fully aware of the political consequences of partition. This explains India's proposal of a federal system rather than partition in both cases. In all its interventions, it seems that India has followed a line which often suited its national interests. For, as Mr. Nehru said, "all foreign policy concerns itself chiefly with the national interest of the country".²⁷ This explains India's active intervention in the formation of the UNEF and its eventual withdrawal from it.

27. Although India was much advanced in the science and art of war, in ancient India, war was only permitted as the last resort. The settlement of disputes was first sought through mediation. This is seen in the old Epics. This was generally done through a 'duta' (envoy) who forged alliances, sowed dissensions in the enemy's camp, delivered ultimatums and concluded peace. Furthermore, Kautilya in his work 'Arthashastra' laid down the doctrine of 'Sama-dana-bheda-danda' (Conciliation, concession, rupture and force). In the Middle Ages it was Sukra, a great Indian philosopher, in his work 'Nitisara' who laid down the importance of negotiations and mediation before one takes to arms and force. (*Foreign Affairs Records*, Vol. VII, No. 21, August 15, 1970, p. 13).

28. Brecher, *Nehru: A Political Biography*, op. cit., p. 217.

Let us not underestimate the very important role played by Indians both military and civilian. The Indian army is without doubt one of the world's best organized and disciplined military units which explains why it was asked to undertake peace-keeping activities on various occasions. It was the Indian army which took charge of the 'Custodial Force, India', to repatriate the prisoners-of-war to their home lands in Korea. In the Congo the Indian contingent successfully defeated the Katangese gendarmes and thus it brought an end to Katanga's secession.

The talents, responsibilities and skill of the Indian Commanders have been recognized by the United Nations and host countries on various occasions which explains why, in the Cyprus operation, there were three Indians among the Commanders-in-Chief of UNFICYP. It is also to be noted that Gen. I. J. Rikhye had acted for several years as the Secretary General's military adviser.

Apart from Jawaharlal Nehru and Krishna Menon, other government officials and civilians have largely contributed to the success of UN peace-keeping operations. R. Dayal, for instance, acted as the UN Secretary General's personal representative in the Congo and B. N. Chakravarty, G. Parthasarathi, A. Lall and others were also contributory to making the UN peace-keeping machinery an active and effective instrument for peace and security in the world.

CHAPTER X

India's Stand on the United Nations Permanent Force

The problems that the United Nations face as regards Peace-Keeping Operations are in a sense the Organization's most controversial activities, precipitating serious political and constitutional disputes. From the very beginning, its formation and composition was very much criticised. The financial and constitutional crisis following on its activities is still under discussion in the 'Committee of 33'. Since there are no Charter provisions, its very existence is challenged.

Doubtlessly, there do exist very reasonable and valuable arguments for the eventual formation of a permanent United Nations force. It goes without saying that a world Government should also be endowed with an executive force. Obviously, there are also constructive arguments against this, for instance, the aim of the United Nations is to create peace not to fight for it, therefore, there should be no need for a force. But the fact is that since the very beginnings of the United Nations, its observers or troops in one way or another have undertaken tasks in different parts of the world to solve international disputes.

An international force system was discussed in the S. Francisco Conference to overcome the threat of unilateral force used by a state or a group of states and three hypotheses were envisaged. There should be for example :

- (i) A permanent force of an international nature composed of a national army under the authority of an international direction but remaining under the command of their national army. This was also the initial conception of the League of Nations.¹
- (ii) An International army composed of fully integrated national contingents with the principle of national sovereignty left undecided.
- (iii) An international army consisting of national contingents to be kept under an international direction for determined objectives.²

India, like the framers of the Charter, supported this third plan but it was sceptical about it as this proposed force could not and should not try to intervene in a conflict between the Great Powers or even between the small nations for that matter, if the Great Powers were divided on the issue. But in reality the Collective Security system did not function as envisaged by the Charter because of Great Power rivalry. It was found that Peace-Keeping diplomacy is often more efficient than Collective Security institutions and thus it became necessary to find 'ad hoc' solutions to 'ad hoc' problems. Although not completely perfect it has worked in one way or another until today. In fact one might question whether a permanent United Nations force would be feasible at the present moment.

It would seem that India was not in favour of the establish-

1. When the League convention was drafted there was an attempt to endow it with a permanent peace force. But the USA and the UK would have been in favour of an ad hoc police force to be raised when circumstances demanded and which was to be equally under national control. Nevertheless, the League had occasion to raise an international force of 3,300 men of which 1,500 British, 1,300 Italians, 250 Dutchmen and 250 Swedes for the purpose of assisting in maintaining order during the plebiscite in the Saar Basin in 1934. (Swadesh Mehta: *India's Attitude towards Collective Security System*, op. cit., p. 165; see also Seyersted Finn: *United Nations Force in the Law of Peace and War*, Leyden, Sijthoff, 1966, pp. 28-29.)

2. Ballaloud, J.: *L'ONU et les Operations de Maintien de La Paix* (Paris: A. Pedone, 1971), p. 104.

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ment of a permanent international force or a stand-by force¹ permanently available to the United Nations; for its general policy was to renounce the use of force as far as possible and solve international conflicts through peaceful means.² Moreover, its lack of interest in the work of the Military Staff Committee,³ its negative attitude to the 'Uniting for Peace' resolution and the Collective Measure Committee,⁴ its reluctance to accept the Unified UN Command in Korea are all indicative of its negative attitude to the establishment of a permanent international force.⁵

India felt that the institution of a permanent UN force would probably be impossible since the basic condition for its establishment as envisaged by the Charter was the consensus

3. Stand by force—a national force put at the disposal of the United Nations on demand.

Permanent UN force — a multinational force coming always and directly under the sole authority of the United Nations.

4. It was proposed that an international force be formed for Palestine to keep law and order after partition, but India voted against it and declared emphatically that the United Nations should have tried to find a solution which did not need enforcement. (UN Doc. A/AC. 14/SR. 11, October 11, 1947).

5. Art. 47 of the Charter provides 3 major aims for the Military Staff Committee:

- (a) to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security,
- (b) the employment and command of forces placed at its disposal,
- (c) elaborate plans to regulate armaments and possible disarmament according to Art. 26 of the Charter. (Ballaloud, *op. cit.*, p. 105).

The Military Staff Committee became moribund simply because there were fundamental disagreements as regards its strength, its stationing and its utilization between the Great Powers represented by chiefs of staff. Moreover, since this Committee was composed of the chiefs of staff of the permanent members of the Security Council only, the small powers showed their reluctance to co-operate in the S. Francisco Conference. The small powers, therefore, insist that the Military Staff Committee should be enlarged through the inclusion of representatives of countries which supplied contingents for a given operation.

6. The Collective Measure Committee was also appointed to study ways and means of carrying out recommendations by the council of Assembly to restore peace and security.

7. Bana, Swadesh: "The Changing Indian Diplomacy at the United Nations", *International Organization*, Vol. XXIV, No. 1, Winter 1970, p. 57.

among the Great Powers and this has not been found in any of the UN operations so far.⁸ Even a stand-by force is not feasible, for either there has to be a decision by the relevant states to let an international organ such as the Security Council decide in each case whether to mobilize the force and for what reasons, or else there has to be an agreement defining in advance and in detail the kinds of circumstances in which the force could be used and the kinds of missions it would perform in each case.⁹

The formation of a permanent UN force is at this moment just not practical, for as Mr. V. K. Krishna Menon said, "it is not possible for any country to put by a certain number of soldiers and officers and say, you are there to go out when there is trouble in the world".¹⁰ This would raise three problems:

- (i) What would they do when there is no trouble in the world?
- (ii) If they are kept separately and not integrated in their national military organizations, they would gradually become incompetent to perform their task.¹¹
- (iii) Over and above all, India doubts the capability of a permanent international force to take effective action in all possible situations. For instance, there is the problem of its acceptability—the units from one country acceptable to the host country in one situation may not be acceptable in another. Therefore no single force could have answered to these widely differing requirements.¹²

So in the present state of the world, and as the United Nations

8. GAOR, 9th Sess., 1st Committee, 706th Mtg., 2 November 1954, paras 31-35.

9. GAOR, 14th Sess., 1st Committee, 1042th Mtg., 2 November 1959, paras 12-14.

10. UN Review, Vol. V, No. 5, November 1958, p.92; see also GAOR, 14th Sess., 823rd Pl. Mtg., 6 October 1959, para 174.

11. *Ibid.*

12. GAOR, 3rd Special Sess., 738th Pl. Mtg., 18 August 1958, para 129.

Organization is not divorced from power politics, India believes that it would not be right, "to place at the disposal of such an organization forces which may be moved in without individual negotiations under the consent of the people concerned".¹³

India considers that the composition, nature and organization of a UN Force according to Articles 43 and 47 of the Charter would be a perpetual problem. Of course there are three possibilities—

- (i) The Great Powers alone could contribute towards an international force, but this proposition is unlikely to be accepted because a common interest in peace is one thing and the creation of a common force is another.¹⁴
- (ii) There could be an international force under a coalition, composed of one Great Power and its allies and a large number of non-aligned states. This would not differ much from a military alliance and could lead to a full scale war.
- (iii) An international force could be formed, composed of non-aligned states. The effectiveness and capability of such a force would be strictly limited to those situations where the Great Powers were not involved either politically or unilaterally.¹⁵

According to some Indian statesmen, however, the time is not ripe for a permanent UN force. There are many important questions, financial, military, political and constitutional, to be clarified before India subscribes automatically to a permanent UN force. First of all the world has to disarm," says Krishna Menon, for an effective international force to be formed.¹⁶ Secondly, World Law has to be established so that aggres-

13. GAOR, 14th Sess., 823rd Plc. Mtg., 6 October 1959, para, 175.

14. GAOR, 16th Sess., 1025th Plc. Mtg., 4 October 1961, para, 187.

15. Swadesh Mehta, *India's Attitude towards Collective Security System*, op. cit., pp. 182-184.

16. General and complete disarmament, according to Government of India, meant a world without war where armaments could be abandoned altogether.

17. In a personal interview with Mr. V. K. Krishna

sion is well defined and states are pre-committed to counter-aggression. Thirdly, it would be effective only when there is a sovereign authority to make states yield whenever their services are required and sanctions can be enforced."

In spite of many problems," in these recent periods, there is strong movement throughout the world towards the eventual formation of a UN stand-by force in UN peace activities. Although its existence hitherto has been 'ad hoc', experience shows that there will be a need for its continued existence. There is encouraging progress in the work of the Committee of 33 towards solving the problems encountered in the past from the functioning of UN peace-keeping activities, and the future seems full of promise.

As in the present world situation, it is almost sure that the non-aligned states would be the first to contribute to a future UN Force. India's participation would not be negligible. And this is shown by Prime Minister Shastri's words during his visit to Canada, "whatever the constitutional and other difficulties for United Nations peace-keeping, it was imperative that a solution be found which would enable the United Nations to continue to fulfil this essential role in future".¹⁸ In this respect it is not worth while thinking of forming anything other than a stand-by force.¹⁹

In view of the importance and urgency of this problem, at

18. *UN Review*, Vol. V, No. 5, November 1958, p. 92.

19. Apart from military, constitutional and political problems there are others such as language, diversified equipment and difference in training and tradition. (It had been thought these would greatly hamper a UN Force, but in fact in UNEF, however, they turned out to be very minor or practically negligible or, as in the case of different customs and traditions, a positive advantage.) (Urquhart B.: "United Nations Peace Forces and the changing United Nations", *International Organization*, XVII, No. 2, Spring 1963, p. 343).

20. *Foreign Affairs Records*, Vol. XI, No. 6, June 1965, p. 117.

21. To facilitate the establishment of a reliable international peace-keeping force the Parliaments of the Scandinavian countries (Denmark, Norway, Sweden and Finland) legislated on training programmes so that a UN stand-by force could be permanently available. They have put forward certain conditions which broadly conform to those of India:

"(a) These forces will assist only in the peace-keeping operations, and shall have no connexion with the provisions of chapter VII;

(Continued on next page)

Conclusion

International tensions have caused the United Nations to introduce peace-keeping machineries as preventive methods and as contributory to the cause of world peace and security. The roots of these tensions lie in several causes which include colonialism and imperialism. After long years of colonial rule in the Congo, the Belgians left the country in utter chaos politically, economically and militarily which naturally led to civil war, secession and internal conflict. The Dutch unnecessarily kept a portion of one of the islands of Indonesia which aroused the national feelings of Indonesians and Papuans to such a pitch that a military clash between the Netherlands and Indonesia seemed possible. Imperialistic policy had spread throughout the Middle East and the result was territorial invasion, violence and bloodshed. The crises in Kashmir and Lebanon have shown that foreign military intervention, under any pretext whatsoever, is a menace to a country's independence and sovereignty and that conflict would have been inevitable. Rivalry among the Great Powers may split a country and lead to fighting among the divided peoples without a final political solution even being sought—Korea is the classical example of this. And finally, clashes between a racial minority and a racial majority may culminate in a full-scale international conflict as can be seen in the Cyprus issue.

So it was necessary to find some means to prevent international conflicts. This was, without doubt, only possible through the willing co-operation of all countries. Therefore, they should be united if they are to find a system for living together

present, the Government of India is giving serious and active examination to the question of providing a stand-by force for the use of UN peace-keeping operations.²² This is also the view of the Lusaka non-aligned countries' conference which said that the peace-keeping machinery of the United Nations needed to be strengthened in accordance with the provisions of the Charter. The Conference urged a speedy resolution of differences on the initiation, control and financing of UN peace-keeping operations to enable the United Nations to play a more effective role in preserving peace. The participating countries pledged their support for the realization of this end and considered the desirability of offering a stand-by force for future UN peace-keeping operations.²³

Indian military officers and ex-commanders of UN peace-keeping operations also strongly support this attitude. But they insist on a clear distinction between a United Nations peace-keeping force and a national military operation. As UN peace-keeping is 'a use of military personnel for an essentially non-combat role', it is necessary to have special considerations. In view of this, the Indian commanders proposed the establishment of UN Training Centres where at least officers and commanders of United Nations peace-keeping operations could be trained.²⁴

The general feeling of Government authorities and military commanders is that if the terms of reference of UN peace-keeping operations were to be reconsidered in the light of past experience, then India would definitely respond positively to such a UN stand-by force.

(Continued from previous page)

- (b) A lawfully adopted United Nations decision would be required prior to the availability of the forces;
- (c) The consent of the host country is essential; and
- (d) The forces will be placed under the exclusive jurisdiction of the United Nations".

(Swadesh Mehta: "The Organization of an International Force—The Indian View", *International Studies*, Vol. VII, No. 2, October 1965, p. 227.

22. In a personal interview with a Government authority.

23. *Foreign Affairs Reports*, Vol. XIX, September-November 1970, p. 110.

24. In a personal interview with an ex-commander of UN peace-keeping operations.

It is evident that in this nuclear age, a machinery like UN Peace-Keeping is indispensable for human survival. Therefore, India was of the opinion that it be allowed to grow and the executive and police functions to maintain law and order among nations be necessarily strengthened. It has been noticeable so far, that UN peace-keeping operations have been successful only where the contracting parties came to an agreement, and where Great Powers' consensus was achieved. Its success, unfortunately, has been in achieving an interim settlement and not necessarily a permanent solution leading to a complete cessation of hostilities. Therefore, if UN Peace-Keeping is to be effective in the future, it must be revised in all its aspects. This will be all the more necessary if we are to consider the eventual formation of a stand-by force. It is highly important that although there are several things that have been institutionalized such as the principle that Permanent Members of the Security Council be excluded from the UN Force, and that the role of a 'political arm' together with a military operation has been recognized as a final solution, Peace-Keeping should still be governed by yet more provisions adopted and accepted by all United Nations Member States, and integrated into the Charter. Besides, it is essential that certain of these provisions should deal with the financial aspect, allowing the United Nations to arrive at solutions to what have been so far among its most difficult problems.

Moreover, as the regional organizations are becoming stronger and stronger (if some are not, they should be strengthened), it would be a wise policy according to Article 33 of the Charter to try to solve disputes through regional organizations before bringing them to the United Nations.

No one doubts that the current problems of the UN peace-keeping operations are great. Its present authority is limited and in one sense is even uncertain. Nevertheless, the United Nations has provided a forum where Member States can come together, discuss and gradually arouse a common desire for peace and justice. This is why it is generally accepted that the United Nations has prevented many situations from developing into

in peace. India was convinced that in view of the present world situation, it would be only through the United Nations that all nations could contribute to a powerful force for the maintenance and promotion of peace and security.

It is clear that to attain an authentic world peace, the hopes of the world rested on the United Nations' successful operations, and hence a tremendous responsibility lies on its Members. India with its foreign policy which stood for peace and friendship among nations tried to reach these goals: for instance from the very beginning of its independence it has laid its own cause of Kashmir before the Security Council of the United Nations. This was a reaffirmation of its support for the United Nations and its desire that the world organization develop into an effective instrument for the maintenance of international peace and security.

When faced with any international dispute, India's first reaction was to attempt to settle it by peaceful means. It is patent, then, that in principle it was against the use of armed force by the United Nations, because the United Nations should first try to preserve peace not by waging war but by some other means. War and armed conflict are to be resorted to only if necessary; for example, when the United Nations sent armed troops into Korea to fight, the Indian Government did not consider fighting inevitable nor the best solution to the problem. This act could in no way be considered an effective substitute for the continuance of negotiations.

Although India's primary concern was to find a settlement by peaceful means, when a country's security and integrity were threatened, then, as a last resort, India would accept the use of force. This explains its acceptance of force in the Congo operation.

In fact, UN Peace-Keeping, in general, has shown how active is India in its attempts to eliminate colonial rule wherever it existed and in whatever form; how persuasive was its mediatory role in the power bloc rivalries; how competitive and combative was its approach to foreign military intervention and how forceful were its attacks on racialism.

Appendices

APPENDIX I

Participation of Indian Armed Forces and Civilians In United Nations Peace-Keeping Operations

<i>Area of Operation</i>	<i>Operation/ Mission</i>	<i>Established/ Appointed</i>	<i>Objectives</i>	<i>Participation</i>
1. Korea	UNTCOK (UN Temporary Commission on Korea)	14 Nov. 1947. (lasted until 10 May 1948)	After World War II, Korea was divided into North and South by the 38th parallel. Infiltration from both parts caused conflicts. The task of the Commission was to facilitate and expe- dite the establishment of Korean Na- tional Government by means of nation- wide elections and to provide for the withdrawal of the occupation forces from both sides of the 38th parallel.	The members of the Commission were : Australia, Canada, China, El Salvador, France, India, the Philippines, Syria and Ukrainian Soviet Socialist Republics,
	UNCOK I (UN Commission on Korea)	10 May 1948. (lasted until 21 October 1949)	To lend its good offices to bring about the unification of Korea and to observe the withdrawal of the occupation forces.	The members were : Australia, China, El Salvador, France, India, the Philippines and Syria.
	UNCOK II	21 Oct. 1949.	To observe and report on military de- velopments and eventual elections on a national scale.	The members were : Australia, China, El Salvador, France, India, the Philippines and Turkey.
	Military Unit (Unified Com- mand)	27 June 1950.	The crossing of the 38th parallel by North Korean forces was characterized as a breach of peace. The United Na-	India did not participate in the Unified Command established by the Security Council to form the

violent conflicts, even though the final solution to each dispute may still seem far off. In this perspective one can conclude that the ultimate success of Peace-Keeping will only be achieved when it is intimately bound up with UN Peace-Making activities. They are complementary, and should be permanently allied in all world disputes such as look for settlement by the United Nations Organization.

vance of cease-fire and armistice agreements.

UNSCOP
(UN Special
Committee on
Palestine)
15 May 1947.
(lasted until
31 Aug. 1947)

To investigate and make recommendations on a political settlement.

The members were: Australia, Canada, Czechoslovakia, Guatemala, India, Iran, the Netherlands, Peru, Sweden, and Uruguay.

*Ad Hoc' Committee on the
Palestine Question
Sept. 1947.
(lasted until
Nov. 1947)

A Committee of the General Assembly to consider UNSCOP recommendations and make proposals to the Assembly.

All the Members of the General Assembly were Members of the Committee.

(b) UNEF
(UN Emergency
Force)
5 Nov. 1956.
(lasted until
19 May 1967)

In October 1956 Israel, France and Great Britain attacked Egypt. The Security Council's action was vetoed by France and Great Britain. Through the 'Uniting for Peace' resolution the General Assembly took the issue into consideration. The UNEF was established to secure the cessation of hostilities and supervise a cease-fire; to ensure the orderly withdrawal of British, French and Israel forces; to oversee the observance of the Egypt-Israel armistice provisions.

India had sent the second largest single national contingent—varying between 957 and 1,299 out of a total maximum force of 8,000.

Advisory Committee
6 Nov. 1956.

To undertake the development of and all aspects of planning for the Force and its operation.

The members were: Brazil, Canada, Ceylon, Colombia, India, Norway, and Pakistan.

UNEF
Commanders

India had provided two Commanders-in-Chief to the UNEF. They were Maj. Gen. P.S. Gyeni (Dec. 1959 to July 1964) and Maj. Gen. I. J. Rikhye (January 1966 to May 1967).

Participation

Area of Operation	Operation/ Mission	Established/ Appointed	Objectives	Participation
2. Middle East			tions adopted resolutions to assist in restoring peace in that area.	military units. India sent a field ambulance unit consisting of 17 Officers, 9 JCOs and 300 Other Ranks and a small surgical unit.
	Cease fire Group	14 Dec. 1950.	To determine the basis for a satisfactory cease-fire to be arranged and to make recommendations to the General Assembly.	General Assembly Resolution 384(V) of 14 December 1950 outlined a cease fire group formed from Canada, India and Iran.
	NNRC, (Neutral Nations Repatriation Commission)	August 1953. (lasted until March 1954)	NNRC was to assume custody of those prisoners who initially declined to be repatriated. The Commission was also to provide humanitarian services.	NNRC was composed of Czechoslovakia, India, Poland, Sweden and Switzerland. India was represented by Lt. General K.S. Thimayya as chairman and executive agent of the NNRC.
	CFI (Custodial Force, India)	August 1953. (lasted until March 1954)	The CFI was formed to take care of the repatriation of prisoners-of-war.	A total of 5,549 officers and men participated in the Indian Custodial Force.
	(a) UNTSO (UN Truce Supervision Organization)	11 August 1948.	During the year 1948 the United Nations through Commissions and individuals sought to facilitate an Arab-Jewish settlement concerning the future of Palestine. After Israel declared independence on May 15, the neighbouring Arab States invaded Palestine. United Nations established UNTSO with authority to report on the obser-	

Financial contribution		India contributed 2% of the total cost \$ 4 million.
(d) UNYOM (UN Yemen Observation Mission)	June 1963. (lasted until Sept. 1964)	In 1962 civil war broke out between the Royalists supported by Saudi Arabia and the Republicans supported by the UAR. Diplomatic missions were undertaken by UN to stop military clashes. To supervise the disengagement and to police demilitarized zones, the Security Council created the UNYOM.
Military Commander	10 Sept. 1963. (lasted until 9 Nov. 1963)	Mej. Gen. P.S. Gyani had been for a short period Chief of UNYOM after Maj. Gen. Von Horn had resigned from this post.
Technical assistance		To assist the Yemen, batches of Yemenese were brought to India for training in crafts and small scale industries.
Congo	14 July 1960. (lasted until 30 June 1964)	Under the UN command an Indian military contingent of 5,782 (men and officers) out of 20,000 participated in the Congo operation. The troops were provided by : Ghana, Guinea, Ethiopia, India, Indonesia, Ireland, Liberia, Malaysia, Mali, Nigeria, Morocco, Pakistan, Sudan, Sweden, Tunisia and the UAR.

Area of Operation	Operation/ Mission	Established/ Appointed	Objectives	Participation
	Financial aid			India had contributed more than \$ 2.1 million towards costs out of a total cost of \$ 250,000,000. India had also bought UN bonds worth \$ 2 million.
	Financial Com- mittee	May 1967.	To find out ways and means for the financial settlements of UNLF at the time of its withdrawal.	The Committee was made up of Canada, Ceylon, Chile, India, El Salvador, Liberia, Sweden, the USSR, and the U.S.A.
(c)	UNOGIL (UN Obser- vation Group in Lebanon)	11 June 1958. (lasted until 9 Dec. 1958)	In May 1958, Lebanon charged the UAR with massive intervention in its internal affairs, with infiltrating men and arms and conspiring against the Lebanese Government. The Security Council established UNOGIL to observe whether illegal infiltration was occur- ring.	A three-member Committee of R. Doyal (India), Galo Plaza (Ecuador) and Maj. Gen. Odd Bull (Norway) is formed.
	Military Obser- vers			A total of 71 Indian military officers out of 600 served in this six months' UN operation. The military observer team was drawn from Afghanistan, Argentina, Burma, Canada, Chile, Denmark, Ecuador, Finland, India, Indonesia, Ireland, Italy, Nepal, the Netherlands, New Zealand, Norway, Peru, Portugal and Sweden.

adviser at the UN headquarters during the Congo operation.

Indian Government at the request of the UN Secretary General provided Mr. R. Dayal to be his special representative.

India has participated with the UN and its specialized agencies to undertake humanitarian tasks, such as providing food and its transport.

Out of 200 million dollar UN bonds, India bought 2 million. India also bore 2% of the total cost of the operation out of the total estimated cost of \$ 450,000,000.

Following Cypriot independence in 1960, Greek and Turkish Cypriot communities exploded into conflict. The Security Council authorized the formation of a UN Force in Cyprus. These Forces are responsible for assisting in the maintenance of law and order and for normalizing conditions in the Island.

They are : Maj. Gen. P. S. Gyani (in the beginning as special representative of the Secretary General and later the first Commander of UNFICYP), and Maj. Gen.

Representative
of the Secretary
General Sept. 1960.
(lasted until
June 1961)

Civilian Opera-
tion

Financial aid

4. Cyprus

UNFICYP
(UN Force in
Cyprus)

4 March 1964.

Military Com-
manders

Area of Operation	Operational Mission	Established/ Appointed	Objectives	Participation
	Airlift		The main task was to airlift civil personnel, transport civil supplies and relief missions with food and medicines.	The airlift was provided by Argentina, Brazil, Ethiopia, India, Norway, Sweden and Yugoslavia.
	Support units		Logistic assistance.	Provided by Canada, Denmark, India, Liberia, the Netherlands, Norway, Pakistan and Sweden.
	Advisory Committee		The Secretary General on 14 July 1960 sought the concurrence of the General Assembly's Advisory Committee on administrative and budgetary questions to incur commitments for ONUC.	Members were: Canada, Ceylon, Ethiopia, the Federation of Malaya, Ghana, India, Guinea, Indonesia, Ireland, Liberia, Mali, Morocco, Nigeria, Pakistan, Senegal, Sweden, Sudan, Tunisia and the UAR.
	Conciliation Commission	6 Nov. 1960.	The Advisory Committee established a conciliation commission to study the situation and help toward a solution, to maintain and strengthen the country's unity, territorial integrity and political independence; to assist in decisions with a view to the speedy restoration of Parliamentary institutions.	The members were: Ethiopia, the Federation of Malaya, Ghana, Guinea, India, Indonesia, Liberia, the Federation of Mali, Morocco, Nigeria, Pakistan, Senegal, Sudan, Tunisia and the UAR.
	Constitutional Advisers	August 1962.	Constitutional advisers were consulted in the drawing up of a Federal Constitution.	They were from Canada, Nigeria, India and Switzerland.
	Military Adviser			The Secretary General asked the Indian Government to provide Maj. Gen. I. J. Kukhye as a military

APPENDIX II

A Chronology of Events—with Special Reference to India

I. Korean Operation

1945	Aug. 12	The USSR occupied North Korea.
1945	Sept. 8	The USA occupied South Korea.
1945	Dec. 27	Moscow Agreement.
1947	Sept. 17	The USA took the question to UN for a peaceful settle- ment.
1947	Nov. 14	General Assembly Resolution on Korea. UN Temporary Commission on Korea was established to supervise the Korean election.
1948	May 10	Election in South Korea.
1948	Aug. 15	The Republic of Korea was established.
1948	Sept. 9	The People's Republic of Korea was established.
1948	Dec. 12	The UN Commission on Korea-I was established. General Assembly pronounced the Republic Government the only lawful Government of Korea.
1948	Dec. 14	A Cease-fire Group composed of India, Canada and Iran was established.
1949	Oct. 21	The UN Commission on Korea-II was established.
1950	Jun. 25	North Korea invaded the South.
1950	Jun. 27	The Security Council Resolution was adopted.
1950	Jun. 29	The second Security Council Resolution. President Truman's statement on Korea.
1950	Jul. 7	Official communique of Indian policy to Korea.
1950	Jul. 12	Adhesion to Security Council Resolution. The third Security Council Resolution.
1950	Sept. 30	Prime Minister Nehru requested the US and the USSR to settle the Korean dispute by peaceful means.
1950	Oct. 7	India warned UN not to cross the 38th parallel.
1950	Nov. 3	UN Commission on Unification and Rehabilitation on Korea was established.
1950	Nov. 6	'Uniting for Peace' resolution.
1953	Jul. 27	Intervention of the People's Republic of China. The Armistice Agreement was signed.
1953	Aug. to	Neutral Nations Supervising Commission and Neutral Nations Repatriation Commission were created.
1954	Mar.	Custodial Force of India in operation.

<i>Area of Operation</i>	<i>Operation/Mission</i>	<i>Established/Appointed</i>	<i>Objectives</i>	<i>Participation</i>
	UNFICYP Headquarters at Nicosia		There are military personnel as well as civilians. Among the civil personnel are economic and legal counselors.	K. S. Thunayya (who died on duty in Cyprus) and Maj. Gen. Prem Chand (the commander at present).
			They were from Austria, Belgium, Canada, Ceylon, Chile, Colombia, Cuba, Czechoslovakia, Egypt, Denmark, India, Ireland, Mexico, New Zealand, Norway, the Netherlands, the Philippines, Sweden, Switzerland, Thailand, the UK and the US.	
3. West Irian	UNTEA (UN Temporary Executive Authority)	21 Sept. 1962. (lasted until 1 May 1963)	Indonesia having obtained its independence from the Netherlands, in 1949, claimed West Irian (West New Guinea) as an integral part of Indonesia. Military clashes were about to take place during late 1961 and early 1962. Through UN efforts, negotiations came to an agreement and UNTEA was established. A UN Security Force was also attached to UNTEA.	This was entrusted to Maj. Gen. I. J. Rukhye, military adviser to the Secretary General. Brazil, Ceylon, India, Ireland, Nigeria, and Sweden provided observers to supervise cease-fire arrangements. Out of 21, 6 were from India.
	Cease-fire and Observer	18 August 1962.		

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II. Middle East Operations**(a) UN Truce Supervision Organization**

- 1929 The Jewish Agency was established to advise and co-operate with the UK in the establishment of the 'national home'.
- 1936 'Arab High Committee' which represented the Arabs in relations with the UK on matters relating to Palestine.
- 1945 Nov. 13 Anglo-American committee of inquiry to investigate the Palestine problem was established.
- 1947 May 15 UN Special Committee on Palestine was established.
- 1947 Nov. 23 General Assembly Resolution on the Palestine partition plan.
- 1948 Apr. 23 Truce Commission was established.
- 1948 May 15 British mandate came to an end.
- 1948 May 20 Israel declared itself a state on partition plan of UN. Count Folke Bernadotte of Sweden appointed UN Mediator.
- 1948 Aug. 11 UNTSO established.
- 1948 Sept. 17 Count Bernadotte, the Mediator, was murdered by Jewish terrorists in Jerusalem.
- 1948 Dec. 11 The General Assembly established a UN conciliation commission to promote relations between the State of Israel, the Arabs of Palestine and the neighbouring Arab States.
- 1949 May 11 Israel became a Member of the UN.
- 1949 Jul. 20 The General Armistice Agreement signed between Israel and Egypt, Israel and Lebanon, Israel and Jordan, Israel and Syria.
- 1949 Dec. 8 UN Relief and Works Agency for Palestine Refugees was established.
- 1950 Sept. 17 India recognized the state of Israel.

(b) UN Emergency Force

- 1956 Jul. 26 President Nasser nationalized Suez Canal.
- 1956 Oct. 29 Israel attacked Egypt.
- 1956 Oct. 31 Anglo-French forces bombed Egypt.
- 1956 Nov. 4 India, Canada, Colombia, Norway had offered troops.
- 1956 Nov. 5 General Assembly established UNEF.
- 1956 Nov. 6 Israel, France, the UK and Egypt unconditionally accepted cease-fire.
- The Advisory Committee was established.
- 1956 Dec. 21 The Anglo-French forces withdrew.
- 1959 Dec. 5 Maj. Gen. P.S. Gyani of India was appointed Commander of UNEF.
- 1966 Feb. 1 Maj. Gen. I. J. Rakhye of India was appointed Commander of UNEF.
- 1967 May 19 The withdrawal of UNEF.

(c) UN Observation Group in Lebanon

- 1958 May 22 Lebanese question laid down in the UN.
 1958 Jun. 11 UNOGIL established.
 1958 Jul. 15 The landing of the US marines in Lebanon.
 1958 Dec. 9 The mission of UNOGIL came to an end.

(d) UN Yemen Observation Mission

- 1962 Sept. 19 The death of King Ahmed, the Imam of Yemen.
 1962 Sept. 27 Civil war broke out between the Royalists and Republicans.
 1962 Nov. 27 The Royalist Government urged the UN to establish an enquiry.
 1963 Feb.-March Mr. Ralph Bunche was sent by Secretary General for a fact-finding mission.
 1963 Jun. 11 Resolution establishing UNYOM.
 1963 Jul. 4 The Observation group became operative.
 1963 Sept. 10 Lt. Gen. P. S. Gyan of India was named Commander-in-Chief of UNYOM.
 1964 Sept. 4 UNYOM withdrew.

III. Congo Operation

- 1960 Jan. 20 Round Table convened by Belgian Government to discuss ways and means leading to the independence of the Congo.
 " Jun. 29 Treaty of Friendship by Belgians and Congolese Ministers. This treaty included provisions in which Belgian Metropolitan troops stationed in bases in the Congo could only be used in the Congo at the request of the Congolese Minister of Defence.
 " Jun. 30 Proclamation of Independence of the Republic of the Congo.
 " Jul. 4 Beginning of mutiny of Congolese soldiers.
 " Jul. 10 Belgian metropolitan troops intervened in Katanga and elsewhere.
 President Kasavubu and Prime Minister Lumumba appealed to the UN for technical assistance.
 " Jul. 11 Katanga declared itself independent.
 " Jul. 12 President Kasavubu and Prime Minister Lumumba appealed to the UN for military assistance.
 " Jul. 14 The first Security Council meeting—resolution approving military and technical assistance to the Congo.
 " Jul. 15 The Indian Government promised humanitarian aid to the Congo at the request of the Secretary General.
 " Jul. 16 The first UN Force arrived in the Congo.
 " Jul. 18 Gen. I. J. Rokhs, former chief of staff of the UNEF to serve as Secretary General's military adviser at UN headquarters.
 " Jul. 20 Adoption of the second resolution of the Security Council.
 " Aug. 8 Mr. Albert Kalonji, the leader of MNC (Movement National Congolais—Kalonji-wing) announced that

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1948	Sept. 17	Count Bernadotte, the Mediator, was murdered by Jewish terrorists in Jerusalem.
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1956	Nov. 6	Israel, France, the UK and Egypt unconditionally accepted cease-fire.
		The Advisory Committee was established.
1956	Dec. 21	The Anglo French force withdrew.
1959	Dec. 5	Maj. Gen. P S. Gyani of India was appointed Commander of UNEF.
1966	Feb. 1	Maj. Gen. I. J. Rukhys of India was appointed Commander of UNEF.
1967	May 19	The withdrawal of UNEF.

- 1961 Oct. 4 Mr. A. Gizenga founded in Stanleyville a new party, called PANALU (Partie Nationale Lumumbiste).
- " Nov. 3 U Thant of Burma installed as Acting Secretary General of UN.
The Katanga accused of breaking the cease-fire agreement.
- " Nov. 24 The Security Council approved a resolution demanding an immediate end to Katanga secession and giving the Secretary General the power to use force to remove mercenaries.
- " Dec. 2 In Elizabethville a group of Katanga gendarmes was disarmed at the airport by UN Indian troops.
- " Dec. 5 After an ultimatum, UN Force under Brig. K. A. S. Raja took action, the Indian troops cleared the road-blocks.
- " Dec. 6 Indian Canberra bombers attacked the airport at Jadotville and Kolwezi.
- " Dec. 13 Mr. M. Tshombe called for total war against the UN.
- " Dec. 17 The first and most orthodox military action—the Indian force, Brigadier Raja's Gurkhas had captured the main Katanga's places.
- " Dec. 21 Kitona Agreement in which Tshombe accepted unity of the Congo—this meant end of secession.
- 1962 Mar.-June Talks between Mr. Adoula and Tshombe for the re-unification of the Republic of the Congo.
- " Aug. 20 'Plan U Thant'—the 'Plan of National Reconciliation'.
- " Dec. 20 The third fight in Katanga—the Indian troops under Lt. Gen. R. Noronha played an important role in the fight.
- 1963 Jan. 14 Mr. M. Tshombe declared Katanga's secession over.
- " Mar. 25 The Indian troops returned to India.
- 1964 Jun. 30 The UN military operation in the Congo over.

IV. Cyprus Operation

- 1954 Aug. 16 Cyprus question first brought up in the UN.
- 1957 Feb. 26 General Assembly adopted a resolution on Cyprus in which its earnest desire for a peaceful and democratic solution is expressed.
- 1959 Feb. 11 London agreement on Cyprus.
- 1960 Aug. 16 Cyprus became an independent Republic.
- 1960 Sept. 20 Cyprus became a Member of UN.
- 1960 Dec. 12 Treaty of Guarantee with Cyprus, Greece, the UK and Turkey.
- 1961 Jan. 12 Treaty of Alliance with Cyprus, Greece and Turkey.
- 1963 Nov. 30 President Makarios proposed the 13 points amendments on Constitution.
- 1963 Dec. 21 Violence and fighting broke out between Greek Cypriots and Turkish Cypriots.
- 1963 Dec. 26 The Cyprus question laid before Security Council, called for an urgent meeting of Security Council.
- 1964 Jan. 15 London Conference, on NATO (North Atlantic Treaty Organization) peace force discussed.

he was setting up a separate and independent province in South Kasai.

- 1960 Aug. 9 Adoption of the third resolution of the Security Council.
- " Aug. 18 Incident of Indian Aircraft at NDjili Airport.
- " Aug. 20 A supply unit and an Air dispatch team arrived from India.
- " Aug. 23 The Secretary General established an Advisory Committee to consult on the Congo operation.
- " Aug. 26 An Indian supply platoon, military police section and air dispatch numbered 110 arrived in the Congo.
- " Sept. 5 President Kasavubu dismissed Prime Minister Lumumba. Later Lumumba revoked Kasavubu.
- " Sept. 8 Mr. Rajeshwar Dayal, the Indian High Commissioner in Pakistan, took charge as the special representative of the Secretary General in the Congo.
- " Sept. 14 Colonel Mobutu of ANO (*Armée Nationale Congolaise*) took the power to neutralize both Lumumba and Kasavubu.
- " Sept. 20 General Assembly Emergency Special Session adopted a new resolution.
- " Nov. 5 Conciliation Commission established.
- " Nov. 22 The Kasavubu delegation was accepted and seated in the UN.
- " Dec. 12 Mr. A. Gizenga published a statement declaring Stanleyville the seat of the Central Government.
- " Dec. 13 Prime Minister Nehru questioned in UN for passivity and ineffectiveness in the Congo operation.
- 1961 Feb. 13 Katanga Government announced that Mr. P. Lumumba had been killed by hostile tribesmen.
- " Mar. 7 Mr. R. Dayal replaced as the Secretary General's representative.
- " Mar. 8 Teonacire conference opened with representatives of all groups except Lumumbists in Stanleyville and Kivu.
- " Mar. 13 Arrival of the first Battalion of Indian troops.
- " Apr. 2 The deployment of Indian troops throughout Katanga.
- " Apr. 24 The Second Round Table Conference opened in Coquilhatville.
- " Jul. 22 Parliament convened at Louvanium University.
- " Aug. 2 Adoula Government established.
- " Aug. 24 The Central Government issued an ordinance referring to the expulsion of non-Congolese officers and mercenaries serving in the Katanga gendarmerie and asked for UN assistance.
- " Sept. 13 Fire broke out in Katanga.
- " Sept. 17 Mr. Hammarskjöld's plane was wrecked near to Ndola—Northern Rhodesia.
- " Sept. 20 Mr. Nehru declared totally in favour of UN action in Katanga.
- " Sept. 20 Agreement on terms for a cease-fire reached between ONUC authorities and Mr. M. Tshombe.

- 1963 Mar. 13 Re-establishment of diplomatic relations between the Netherlands and Indonesia.
- 1963 May 1 UNTEA administration was transferred to Indonesia.
- 1969 Jul.-Aug. The Act of Free Choice took place.
- 1969 Nov. 19 The General Assembly completed consideration of West New Guinea.

VI. Kashmir

- 1947 Aug. 15 India and Pakistan became independent states.
- 1947 Oct. Tribesmen invaded Kashmir.
- 1947 Oct. 26 Kashmir acceded to India.
- 1948 Jan. 1 India laid down the Kashmir issue in the UN.
- 1948 Jan. 20 UN Commission on India and Pakistan established.
- 1948 Jul. 27 The Karachi agreement on a cease-fire line in Kashmir.
- 1949 Jan. 1 The Cease-fire ordered.
- 1949 Jan. 24 The Military observers came to the sub-continent.
- 1949 Mar. 21 The UN nominated Fleet Admiral Chester W. Nimitz, of the United States' Navy, as Plebiscite Administrator.
- 1950 Apr. 12 Sir Owen Dixon of Australia appointed as the UN Mediator for Kashmir issue.
- 1951 Apr. 30 Dr. Frank Graham of the USA was appointed in place of Mr. Dixon.
- 1957 Feb. 20 Mr. Gunnar Jarring of Sweden was appointed the UN Mediator replacing Dr. Graham.
- 1957 Apr. 30 Mr. Jarring reported that he was unable to suggest concrete proposals likely to contribute to a solution.
- 1965 Aug. 5 Violations and fire broke out between India and Pakistan in Rann of Kutch.
- 1965 Sept. 23 UNIPOM established.
- 1966 Jan. 10 Tashkent declaration.
- 1966 Mar. 22 UNIPOM withdrew.

- 1964 Jan. 16 Secretary General appointed Lt. Gen. P. S. Gyani of India to observe the question.
- 1964 Mar. 4 Security Council resolution. Council recommended the creation of UN Force.
- 1964 Mar. 8 Secretary General appointed Gen. P. S. Gyani of India as a Commander of UN Peace Force.
- 1964 Mar. 25 Secretary General appointed Sakari S. Tuomioja of Finland as the UN Mediator in Cyprus.
- 1964 Mar. 27 UNFICYP became operational.
- 1964 Jun. 20 Gen. Kodendra Subbaya Thimayya of India appointed as Commander of UNFICYP replacing Gen. Gyani.
- 1964 Aug. 15 Mr. Tuomioja died and was replaced by Dr. Galo Plaza of Ecuador.
- 1965 Dec. 18 Gen. Thimayya died of natural causes.
- 1969 Dec. 18 Maj. Gen. D. P. Chand of India was named Commander-in-Chief of UNFICYP.

V. West Irian Operation

- 1949 Dec. 27 The Netherlands transferred the Sovereignty over Indonesia to the Republic of Indonesia. Agreement signed to negotiate on the political status of West Irian.
- 1950 Sept. 28 Indonesia became a Member of the UN.
- 1954 Aug. 17 Indonesia requested the inclusion of West Irian on the agenda of the General Assembly.
- 1957 Oct. 28 'The Liberation Committee of West Irian' established.
- 1960 Aug. 17 Indonesia and the Netherlands broke diplomatic relations.
- 1960 Sept. Infiltration of Indonesian guerillas into West Irian.
- 1960 Nov. 23 Indonesian representative to UN stated the persistent illegal occupation of West Irian by Netherlands forces constituted a violation of the Charter and an imminent menace to peace.
- 1961 Dec. 19 The public appeal of President Sukarno for the liberation of West New Guinea by arms. Fighting broke out between the Netherlands and Indonesia.
- 1962 Aug. 15 The agreement signed by the Netherlands and Indonesia in the presence of the Secretary General and mediator Ellsworth Bunker.
- 1962 Aug. 18 Cease fire in force.
- 1962 Aug. 30 Gen. I. J. Rikhye observed this cease-fire.
- 1962 Aug. 30 Pakistan informed the Secretary General on the provision of 1,000 men for the UN Security Force.
- 1962 Sept. 21 Indian Foreign Minister welcomed the agreement in the General Assembly of the UN.
- 1962 Oct. 1 UNTEA took over Executive Authority from the Netherlands.
- 1962 Nov. 15 Mr. Jose Rols-Bennet appointed Temporary Administrator of the UN.
- 1962 Nov. 15 Mr. Jose Rols-Bennet replaced by Dr. Djafal Abdoh of Iran.

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